United States Court of Appeals
for the
District of Columbia Circuit

TRANSCRIPT OF RECORD

CHAMBERS OF JUDGE BAZELON

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10-21-

JOINT APPENDIX

IN THE

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11,850

591

COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, *Petitioner*,

v.

SUBVERSIVE ACTIVITIES CONTROL BOARD, *Respondent*.

On Petition to Review and Set Aside an Order of the Subversive Activities Control Board

VOLUME I

(Pages 1 to 462)

United States Court of Appeals
For the
District of Columbia Circuit
FILED DEC 18 1953
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On Petition to Review and Set Aside an Order of the Subversive Activities Control Board

JOINT APPENDIX

VOLUME I

(Pages 1 to 462)

83D CONGRESS
1st Session

SENATE

DOCUMENT
No. 41

SUBVERSIVE ACTIVITIES CONTROL BOARD

HERBERT BROWNELL, JR., ATTORNEY GENERAL
OF THE UNITED STATES
PETITIONER
VS.
COMMUNIST PARTY OF THE
UNITED STATES OF AMERICA
RESPONDENT

REPORT OF THE BOARD

PRESENTED BY MR. McCARRAN

APRIL 23 (legislative day APRIL 6), 1953.—Ordered to be printed

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SUBVERSIVE ACTIVITIES CONTROL BOARD

No. 51-101

HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER *v.* THE COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, RESPONDENT

William A. Paisley, Frank DeNunzio, Robert B. Gaston, Noel E. Story, Benjamin F. Taylor, Jr., Rourke J. Sheehan, Clifford J. Nelson, Nathan B. Lenvin, for Petitioner.

Vito Marcantonio, John J. Abt, Joseph Forer, for Respondent.

REPORT OF THE BOARD

On November 22, 1950, the Attorney General of the United States, Petitioner herein, acting under Section 13 (a) of The Subversive Activities Control Act of 1950, hereinafter called the Act, filed a petition with the Board for an order requiring the Communist Party of the United States of America (CPUSA), Respondent herein, to register with the Attorney General as required by Sections 7 (a), (c), and (d) of the Act. The petition alleges that Respondent is a Communist-action organization as defined in the Act and as measured by the standards specified therein, and it sets forth numerous allegations of fact in support of its contention.

A copy of the petition was served by Petitioner upon Respondent on November 24, 1950. Answer under protest was filed by Respondent on February 14, 1951, and on April 3, 1951, an amended answer was filed.[1]

In the amended answer Respondent admits that it was organized in 1919 and has been in existence continuously since that date. Otherwise, the substance and effect of its answer is to deny that Respondent fits the definition and standards of a Communist-action organization as alleged in the petition.

Hearings for the purpose of taking evidence on the petition commenced on April 23, 1951, before three members of the Board sitting as a hearing panel.

On October 20, 1951, one member of the Hearing Panel became unavailable to the Board by virtue of the adjournment of Congress without taking action upon his nomination to the Board. The hearing proceeded before the remaining two members of the Hearing Panel, who were present and participated during the entire hearing. Respondent, on October 23, 1951, moved the Board for an order striking all evidence theretofore received and all proceedings theretofore held because of the failure of the Senate to confirm the one member, and because of alleged bias and prejudice of the Panel against Respondent, which motion was denied following oral argument thereon. Respondent thereupon instituted suit in the United States District Court to enjoin the hearings but was not successful.[2]

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[1] In the interim period Respondent attacked the validity of the proceeding by various motions addressed to the Board, which were denied, and also instituted suit in the United States District Court for the District of Columbia for a preliminary injunction to stay the proceeding and for a permanent injunction and declaratory judgment (Civil Action 419–51). A three-judge statutory court on February 28, 1951, denied Respondent's motion for a preliminary injunction (*Communist Party of the United States* v. *McGrath*, 96 F. Supp. 47) but on March 13, 1951, issued an order staying answer and hearings before the Board to and including March 27, 1951, pending appeal. An extension of this stay was refused by the United States Supreme Court on March 26, 1951, and Respondent voluntarily discontinued the proceeding.

Hearings for the purpose of taking evidence on the petition, having commenced on April 23, 1951, terminated on July 1, 1952.

Briefs and proposed findings of fact were filed by each party on July 28, 1952. On August 6, 1952, reply briefs were filed by each of the parties, and on August 14, 1952, oral argument thereon was held before the Hearing Panel.

On October 20, 1952, the Hearing Panel issued its Recommended Decision finding Respondent to be a Communist-action organization as defined in the Act and recommending that the Board issue an order requiring Respondent to register as such with the Attorney General of the United States.

On November 21, 1952, Petitioner filed exceptions to the Recommended Decision requesting that the Board adopt the Panel's findings with certain minor changes of text. On November 24, 1952, Respondent filed its exceptions to the Recommended Decision, accompanied by a memorandum in support thereof, and four motions. Following oral argument, the motions were denied in our Memoranda Opinions and Orders of December 23, 1952, and February 24, 1953. Oral argument on the exceptions to the Recommended Decision was had before us on January 7, 1953.

Respondent notes 310 exceptions, most of which contain numerous grounds for attacking a specified portion or finding of the Recommended Decision. Illustrative of the nature of its exceptions is Exception No. 51, which reads as follows:

> Respondent excepts to the statement as to the end towards which certain policies and activities of the Respondent are directed (p. 26, ll. 29–32), as being unsupported by the evidence, contrary to the evidence, based on irrelevant matters, based on constitutionally protected conduct and expression, and made with an improper reliance on pre-Act matters.

In addition to taking exception to virtually every statement in the Recommended Decision on what amounts to a line-by-line basis, Respondent in many instances made a general exception to entire captioned sections of the Recommended Decision, illustrative of which is Exception No. 102:

> On the same grounds [same as exception No. 101; i. e., irrational, unsupported by the evidence, contrary to the evidence, beyond the scope of the petition, and based on an improper reliance on pre-Act matters] Respondent excepts to the entire section of the Recommended Decision which appears under the subheading "Trade-Union Activities" (pp. 50–58).

In addition to the foregoing, Respondent, by its Exception No. 310, attacks the Recommended Decision as a whole on the grounds that it is arbitrary; capricious; not in accordance with law; contrary to the Constitution, including the First and Fifth Amendments; made without the observance of procedure required by law; unsupported by the evidence or by a preponderance thereof; contrary to the evidence and a preponderance thereof; largely based on incompetent and irrelevant evidence and on testimony not entitled to credence;

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[2] The United States District Court for the District of Columbia, on February 15, 1952, entered an order granting the Board's motion to dismiss, and dismissing the proceeding before the court. *Communist Party of the United States of America* v. *Peter Campbell Brown, et al.* (Civil Action 4648–51).

based on evidence and findings outside the scope of the petition; and largely resulting from improper use of, and reliance on, matters and events which antedate the enactment of the Act;[3] further, that the Panel has not performed is function of weighing, analyzing, and describing the evidence and contentions of the parties; that the Panel has obscured, concealed, and misstated what the record actually shows; that it has so intermingled pre-Act and post-Act evidence as to confuse and misstate the record and vitiate its findings and conclusions; and, that the Panel's decision is clearly a product of bias and prejudice.

Respondent also preserves all exceptions which have accrued to it as a result of rulings adverse to it heretofore made by the Hearing Panel or the Board.

Notwithstanding the general, sweeping nature of these exceptions and their lack of substantive specificity, we have carefully examined and considered each of them, as well as the matters set forth in Respondent's memorandum in support thereof.

In making our findings herein, we have reviewed the entire record and we have appraised the Recommended Decision, and the exceptions taken thereto by both parties, in the light thereof. Except to the extent the exceptions of either party are expressly or impliedly incorporated herein, they are hereby expressly overruled as being unsupported by the evidence or otherwise lacking in merit.

In this report, we discuss the evidence under topical headings which in the main conform to the sequence of the criteria of Section 13 (e) of the Act which we are required to consider. This arrangement also substantially follows the allegations of the petition.

In making our findings herein, we have considered and weighed all the evidence of record. In weighing Petitioner's evidence, we have considered that certain of its witnesses fall into the category of "informers" and we have scrutinized their testimony accordingly; we have considered and resolved the inconsistencies in the testimony of certain of Petitioner's witnesses; we have considered the testimony of Petitioner's witnesses against the background of their various organizational positions and activities in the CPUSA which afforded the sources of their knowledge; and we have had the benefit of the Panel's observation of their demeanor while testifying. Viewing these considerations in the light of the whole record, we find no basis for disregarding the substance of their testimony.

We have likewise weighed and evaluated Respondent's evidence, taking into account that each of its three witnesses has a vital personal interest in the outcome of this proceeding; that in nature and substance the direct testimony of two of its witnesses amounted, in a large degree, to conclusory denials of the allegations of the petition and the criteria of Section 13 (e) of the Act; that important members of Respondent, whom Petitioner's witnesses had identified as being parties to, or present at, conversations which were detrimental to Respondent herein, were not called to rebut such testimony; and, that the Hearing Panel, having observed the demeanor of its witnesses as they testified, had some misgivings about certain of them.

It is noteworthy that the stenographic record herein comprises 14,413 pages and that in addition 507 exhibits, many of which are entire volumes, are part of the record. To set forth and resolve herein all the conflicts between the evidence of the parties would unduly protract this report. Where warranted, however, we treat specifically with conflicts in the evidence and the credibility of the witnesses with regard thereto in the body of this report.

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[3] The matters raised in the exceptions pertaining to Pre-Act evidence and Constitutional issues are dealt with later herein under "Legal Discussion."

Applying the foregoing considerations, we have made our findings below. Such evidence of record that is inconsistent therewith is not credited.

A short biographical sketch of each witness, containing information pertinent to this proceeding, is contained in Appendix A, and a list of publications which are in evidence and have major importance in this proceeding is contained in Appendix B.

For clarity, it is desirable that we make certain findings based on the evidence herein concerning Respondent's publications and its general nature and organizational composition preliminary to setting out the body of the evidence.

Therefore, we find: That Respondent is a disciplined organization numbering many thousands of members, which is controlled internally between conventions by a National Committee; that it has organizational units at city, county, state, and district (includes multistate) levels which include clubs, cells, fractions, branches, and sections, and committees thereof; that, in addition to the foregoing, it maintains other operating committees for specific purposes; that Respondent has been in existence in the United States since 1919; and, that it is not a diplomatic representative or mission of a foreign government accredited as such by the Department of State.

We also find that the following publications, issues of which are in evidence, are or were during their existence official and controlled organs of Respondent:

(*a*) *The Daily Worker;*

(*b*) *The Worker;* this is currently the Sunday edition of the *Daily Worker;* however, in the 1920's a paper with this name fulfilled much the same function as the present *Daily Worker;*

(*c*) *Political Affairs*, a monthly magazine;

(*d*) *The Communist;* the predecessor to *Political Affairs*, which served Respondent in the same capacity prior to early 1945. The same title was used for a Party newspaper early in Respondent's existence.

I. FINDINGS OF FACT

A. WORLD COMMUNIST MOVEMENT

The definition of a Communist-action organization in Section 3 (3), and the terms of the several criteria in Section 13 (e) of the Act make desirable a finding based upon the evidence in this proceeding concerning the world Communist movement, its characteristics and the identification of the leadership of such movement.

Much of the evidence which establishes the allegations of the petition pertaining to the various criteria in Section 13 (e) necessarily shows the existence of the world Communist movement, its characteristics and its leader. The evidence sustaining these allegations is fully set forth hereafter in this report. Consequently, we now set forth in summary form only the evidence adduced in this proceeding which substantiates the existence of the world Communist movement, describes its nature and identifies its leadership.

The Respondent in its amended answer and through the testimony of its witnesses admits that a world Communist movement exists in the sense that the CPUSA and other Communist parties in countries throughout the world are guided in their activity by a concept of "social science" called Marxism-Leninism,[4] and have as their common goal the establishment of "socialism." Respondent contends, however, that the international relationship among the Communist parties of the world is merely a fraternal one. It denies that there exists a world Communist movement which is substantially dominated or controlled by the Soviet Union and which has as its purpose the establishment of dictatorships of the proletariat in all countries throughout the world. Respondent's witness Gates testified that, in referring to "the world Communist movement" in his writings, he had in mind separate autonomous movements. Respondent's expert witness, Dr. Herbert Aptheker, teacher and trustee of the Jefferson School of Social Science, Editor of *Masses and Main Stream*, and Managing Editor of *Political Affairs*, offers the explanation that in Marxist-Leninist literature such terms as "international solidarity," "proletarian internationalism," "working class internationalism," etc., are used simply to indicate the fraternal relationship among the working classes of the countries of the world. Respondent's witness Elizabeth Gurley Flynn draws an analogy with the international trade-union movement, asserting that this movement exists but that there is no worldwide trade-union; and that, similarly, a world Communist movement does exist, but that an international integrated Communist Party does not. The witness Flynn admits that Stalin is universally regarded by Communists as the ideological leader of world Communism [5] and as the leader of the senior Communist Party of the world, the Communist Party of the Soviet Union; however, she denies that either Stalin or the Communist Party of the Soviet Union (CPSU) exercises domination or control over Respondent or any other Communist Party in the world.

We are unable to accept these contentions of respondent concerning the existence, nature, purpose, and leadership of the world Communist movement, as they are contrary to the clear preponderance of evidence.

The present world Communist movement was first manifested organizationally by the formation of the Third Communist International in Moscow in 1919. This event is recorded in the *History of the Communist Party of the Soviet Union (Bolsheviks)* (Pet. Ex. 330), as hereinafter developed.[6]

One year later, July 17 to August 7, 1920, the Second Congress of the Communist International adopted and promulgated its *Theses and Statutes* setting forth its aims and purposes as later detailed herein,[7] which includes the following:

> The Communist International is aware that for the purpose of a speedy achievement of victory the International Association of Workers, which is struggling for the abolition of capitalism and the establishment of Communism, should possess a firm and centralized organization. *To all intents and purposes the Communist International should represent a single universal Communist Party, of which the parties operating in every country form individual sections. The*

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[4] See pp. 21-44, *infra*, for findings re Marxism-Leninism.

[5] Subsequent to the hearing herein Stalin died; he has been succeeded by Georgi M. Malenkov.

[6] See p. 10, *infra;* see also pp. 42-43, *infra*, for Respondent's adherence to this work.

[7] See pp. 10-11, *infra*.

organized apparatus of the Communist International is to secure to the toilers of every country the possibility at any given moment of obtaining the maximum of aid from the organized workers of the other countries.

For this purpose the Communist International confirms the following items of its statutes:

SEC. 1. The new International Association of Workers is established *for the purpose of organizing common activity of the workers of various countries who are striving towards a single aim:* the overthrow of capitalism; the establishment of the dictatorship of the proletariat and of the *International Soviet Republic;* the complete abolition of classes, and the realization of socialism—the first step of Communist Society. [Italic supplied.] (Pet. Ex. 8, p. 5.)

The Communist International was in fact that which these publications proclaim, i. e., a universal Communist Party organized and controlled as to policies and activities by the Soviet Union and consisting of the various Communist parties of the countries throughout the world, which constituted sections of the Communist International. The Communist International embodied an elaborate organizational structure, including an Executive Committee; departments on Organization Agitation and Propaganda, and Youth; Secretariats or Commissions covering sections of the world, such as the Far Eastern Secretariat, Anglo-American Secretariat, etc., which supervised the Communist parties in these repsective areas; and Field Bureaus.

Respondent joined this international Communist organization shortly after it was constituted and admittedly until 1940 participated therein. Characteristic of the Communist International's worldwide activities were the Profintern or Red International of Labor Unions; MOPR, or the International Red Aid to defend Communists; the maintenance of representatives in various countries, first to enforce and insure adherence to its policies, and further to afford guidance and assistance; the instruction and training of individual members of its section Communist parties and the payment of expenses incident thereto; the rendering of financial aid to the various Communist parties throughout the world, either directly in money disbursed to or for them or indirectly through furnishing of free propaganda materials, publications, printing, etc.; the exercise of strict disciplinary control over individual members and entire Communist Party sections, resulting in expulsion of a member for failure to follow Soviet Union policies and directives; the settlement of intraparty disputes and the resolution of issues relating to tactics, strategy, procedure, and policy of Communist Party sections; the command of paramount allegiance to the Soviet Union as the leader of international Communism and fatherland of the world proletariat; the strict adherence to that body of principles and policies called Marxism-Leninism;[8] all in furtherance of making secure the foundation of the world proletarian revolution, i. e., the Soviet Union, and installing Communist dictatorships under the direction and domination of the Soviet Union in all countries throughout the world, including the United States, by activity both open and secret and by any means whether legal or illegal.

As a result of the passage of the Voorhis Act in 1940 (54 Stat. 1204) Respondent announced a disaffiliation from the Communist International, but did not alter fundamentally its relationship with the Communist International.[9] The Communist International was formally dissolved as such in 1943, at which time the United States and the Soviet Union were military allies. This formal dissolution was accomplished, assertedly, in order to remove the foundation for "Fascist" charges that the Soviet Union was meddling in the internal affairs of other nations. In truth and in practice the world Communist movement, under the hegemony of the Soviet Union, has remained as theretofore, despite the "dissolution" of the Communist International.

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[8] See pp. 21–44; 120, *infra.*

[9] See pp. 14–16, *infra.*

In 1947, the Communist Information Bureau, herein sometimes called the Cominform, was organized [10] to facilitate the coordination of activities of Communist parties of various countries in the struggle against "imperialism"; its membership consists of a number of Communist parties.

Zhdanov, then a member of the Politburo of the Communist Party of the Soviet Union, in calling for greater and closer international coordination of action by Communist parties at the Communist Party Informative Conference in Poland in September 1947 stated, in part, as follows:

> * * * There can be no doubt that if the situation [the tendency toward the isolation of individual Communist parties] were to continue it would be fraught with most serious consequences to the development of the work of the fraternal parties. The need for mutual consultation and voluntary coordination of action between individual parties has become particularly urgent at the present juncture when continued isolation may lead to a slackening of mutual understanding, and at times, even to serious blunders (Pet. Ex. 214-A, p. 4).

Georgi M. Malenkov, successor to Stalin and presently leader of the Soviet Union, also addressed this conference laying additional emphasis on the necessity for coordination of international Communist activities. Pertinent excerpts from Malenkov's report are set forth herein at pp. 18–19, *infra*.

In the United States, Respondent refrained from formally joining the Cominform, because "* * * reactionary and pro-Fascist forces now whipping up anti-Communist hysteria and war incitement in our country would undoubtedly seize upon such action * * * as a pretext for new provocations and repressions against the Communists * * *" (Pet. Ex. 368). However, the CPUSA announced firm agreement with and approval of its formation. Notwithstanding this lack of formal affiliation, manifestations of the world Communist movement and Respondent's participation therein continued. Known representatives of the world Communist movement remained in the United States and continued their participation in the affairs of Respondent; leaders of Respondent went abroad at Party expense to international gatherings where they met and consulted with world Communist leaders; the official organ of the Cominform, *For a Lasting Peace, for a People's Democracy*, is used by Respondent's leaders as a source of authoritative direction on matters pertaining to the world Communist movement and Respondent's participation therein; detailed "greetings" containing messages are sent and received by the various Communist parties of the world, including the Communist Party of the Soviet Union and Respondent; Respondent unswervingly adheres to the positions taken by the Soviet Union on international issues; and Respondent continues to advocate, teach and apply Marxism-Leninism.

Adherence to Marxism-Leninism, as its principles and precepts are stated in the Classics, is completely incompatible with Respondent's contention that it and numerous other Communist parties throughout the world apply Marxism-Leninism individually, separately and autonomously. It is clear that international organization, which affords the coordination of activity and discipline as directed by the Soviet Union and which commands the subordination of all national duties and also requires allegiance to the Soviet Union, is the very essence of Marxism-Leninism as understood and practiced by Respondent.[11]

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[10] See *infra* pp. 16–19, re detailed findings concerning the Communist Information Bureau.

The international integration of the world Communist movement is further illustrated by the perspective in which Respondent regards the incidents affecting, or activities of, Communist parties in other nations. For example, a letter sent by Respondent to the Communist Party of France as reprinted in the *Daily Worker* of June 9, 1952, regards the arrest of French Communist leader, Jacques Duclos, as an act of the men of "Wall Street." The letter states in part:

> * * * We American Communists are conscious of our responsibility to show the people at home that it is the Wall Street men of the trusts who are the real fomentors of the present hysteria, arrests, and persecutions in your country. We will do everything to convince the American people that it is U. S. imperialism which strives to impose upon the French people the same kind of wartime dictatorship they seek to impose in our own land. We know your struggle is our struggle—a common fight against a common enemy—to defeat the North Atlantic war alliance, to prevent the renazification [sic] and remilitarization of Western Germany, to fight for a Five-Power Pact of Peace and Friendship as the only path to peace and freedom * * * (Pet. Ex. 495).

Similarly a "greeting" from Respondent to the Seventh Congress of the Italian Communist Party, published in the Daily Worker of April 4, 1951, stated:

> * * * "your work in defense of peace and socialism under the magnificent leadership of Palmiro Togliatti, has a particular repercussion in our country.
>
> "The great battle of the Italian workers for their independence, peace, and social progress calls forth greatest admiration among us. We are confident that in fraternal battle against Wall Street, the cause of Italy's millions, which is our cause too, will triumph" (Pet. Ex. 456).

Respondent, at its 15th National Convention held from December 28 to 31, 1950, in New York City, received "greetings" from Communist parties in the Soviet Union, People's Democratic Republic of China, France, Italy, Hungary, Poland, Bulgaria, Czechoslovakia, Rumania, German Democratic Republic, Western Germany, Austria, Great Britain, Canada, Mexico, Brazil, Cuba, Spain, Norway, Denmark, The Netherlands, Northern Ireland, Eire, India, Israel, Algeria, Ceylon, Free Territory of Trieste, Belgium, Australia, New Zealand, Indonesia, and the Yugoslav Political Revolutionary Emigrants (Pet. Ex. 376).

Many such "greetings" expressed regret that it was impossible to send delegates as Respondent had invited, but noted in varied detail the problems (from a Communist viewpoint) in the particular country involved, as well as those facing Respondent. These "greetings" likewise are replete with phrases that reveal the characteristics and leadership of the world Communist movement, of which the following are illustrative:

> * * * all persons who oppose the aggressive policy of American imperialism and the rule of Fascist terror, are uniting in joint resistance * * *.

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[11] See "Marxism-Leninism" pp. 24-25; 31-32, *infra*, for detailed findings to this effect.

> * * * the decisions of your Convention, taken in the light of the teachings of Marx, Engels, Lenin, and Stalin, will enable you to advance forward on the road of unity of action * * *.
>
> Your successes are our successes.
>
> We know your struggle is difficult, but together with you, 800 million people, led by the invincible Soviet Union, defend peace and liberty.
>
> * * * your party will raise still higher the immortal banner of Marxism-Leninism and will honorably fulfill its patriotic and internationalist duty * * *.
>
> * * * the fight of the millions of common people for peace and democracy, inspired by peace-loving Soviet Union and the great Stalin, will win.
>
> Your fight, dear comrades, is our fight, just as the struggle of the German Friends of democracy and peace is your struggle.
>
> The invincible peace camp under the leadership of the Soviet Union and the great Stalin, defends the happiness of all peoples. You have a decisive place in the camp of peace.
>
> We feel closely bound up with your struggles not only because we pursue the same aims but also because we face the same enemy, American imperialism.
>
> * * * our common struggle against Anglo-American imperialism.
>
> Headed by the mighty Socialist Soviet Union and our friend and teacher, Joseph Stalin, the world camp of peace is going forward to win * * *.
>
> * * * your decisions will victoriously guide the American people in their determined struggle for the defense of the cause of peace and socialism so brilliantly led by Comrade Stalin.
>
> United by proletarian internationalism under the banner of the great Stalin, we will march victoriously on the road to peace and Socialism.
>
> * * * we are firmly convinced * * * that you will fulfill the great task of world significance * * *.
>
> Your invitation confirms that proletarian internationalism, in spite of hate, persecution, and terror, is a living reality.
>
> Our fight for peace, independence, and freedom is directed against the same enemy as your fight.
>
> Long live proletarian internationalism.
>
> We pledge our maximum contribution to the peace movement headed by the Soviet Union
>
> Long live the solidarity of the working people in the whole world * * * for the triumph of the ideas of Marx, Engels, Lenin, and Stalin!

The foregoing statements in this section are fully supported by a preponderance of the evidence, which is set out in detail in our findings in the captioned portions of this report which follow. Based on the evidence adduced in this proceeding we find (1) that there exists a world Communist movement, substantially as described in Section 2 of the Act, which was organized by the Soviet Union, and which has as its primary objectives the establishment of Communist dictatorships of the proletariat in all countries throughout the world, including the United States, and (2) that the direction, domination, and control of this movement is vested in, and is exercised by, the Soviet Union.

B. POLICIES AND DIRECTIVES

1. Respondent's organization and leadership

The nature of this proceeding is such that we cannot and should not single out one factual situation as determining the issues, but must consider the record as a whole. In so doing, we have taken into consideration the evidence hereinafter summarized concerning the events which have resulted in Respondent's present organizational form, and which establishes certain facts regarding the background and activities of Respondent's present leadership. We find this evidence tends to establish that Respondent is a Communist-action organization.

Respondent was organized in 1919 and has been in existence continuously since that date. The evidence leaves no doubt that the Respondent is molded organizationally and operationally along the lines found by the Communist Party of the Soviet Union to be most effective in establishing the dictatorship of the proletariat in the Soviet Union. Such an organization and operation is in accordance with the strategy and tactics of Marxism-Leninism. It is also in accordance with the requirements of the Communist International.

Before treating with Respondent's organization and internal administration, it is of major importance for a clear understanding of our findings and of the background and bases for a number of Respondent's policies and activities, to review the evidence and set forth certain pertinent facts regarding an association or organization known as the Communist International (Comintern). According to Respondent's witness Flynn, this organization was "a federation, as it were, of Communist Parties, who met together, consulted together, and exchanged knowledge and experience in relation to the struggles that they were carrying on in their particular countries."[12] The record, however, establishes a different nature and different characteristics of the Communist International.

Upon consideration of the sizable quantity of both oral and documentary evidence relative to the matter, we find that the Communist International was organized in 1919 by the Soviet Union as the international organization of Communist Parties in all countries—a World Communist Party—with the aim to overthrow "capitalist" states and to create the dictatorship of the proletariat in the Soviet form. Significant evidence establishing the foregoing includes the documents, *History of the Communist Party of the Soviet Union* (*Bolsheviks*); *Theses and Statutes of the Third* (*Communist*) *International*, adopted July 17–August 7th, 1920; the *Programme of the Communist International*, issued at the Sixth Congress in Moscow in 1928; and, Respondent's *Manual On Organization*, issued in the 1930's. These documents are further identified and discussed later in this report.

In the *History of the Communist Party of the Soviet Union*, it is stated:

> In March 1919, on the initiative of the Bolsheviks, headed by Lenin, the First Congress of the Communist Parties of various countries, held in Moscow, founded the Communist International. Although many of the delegates were prevented by the blockade and imperialist persecution from arriving in Moscow, the most important countries of Europe and America were represented at this First Congress. The work of the congress was guided by Lenin.
>
> * * * * * * *
>
> The congress adopted a manifesto to the proletariat of all countries, calling upon them to wage a determined struggle for the dictatorship of the proletariat and for the triumph of Soviets all over the world.
>
> * * * * * * *
>
> Thus was founded an international revolutionary proletarian organization of a new type—the Communist International—the Marxist-Leninist International (Pet Ex. 330, pp. 231–232).

The Theses and Statutes stated that—

> * * * all the events of world politics are inevitably concentrating around one point, namely, the struggle of the bourgeoise world against *the Russian Soviet Republic, which is grouping around itself* the Soviet movements of the vanguards of the workers of all countries, and all national liberation movements of the colonial and subject countries, which have been taught by bitter experience that there can be no salvation for them outside of a union with the revolutionary proletariat, and the triumph of the Soviet power over Imperialism." [Italic added.] (Pet. Ex. 8, p. 67.)

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[12] This is in substance the same characterization Respondent places on the present organization of Communist Parties known as the Information Bureau of Communist and Workers' Parties or the Communist Information Bureau. See pp. 16–19 of this report.

Also:

> The Communist International makes its aim to put up an armed struggle for the overthrow of the International bourgeoisie and to create an International Soviet Republic as a transition stage to the complete abolition of the State. The Communist International considers the dictatorship of the proletariat as the only means for the liberation of humanity from the horrors of capitalism (ibid., p. 4).

The Constitution and Rules of the Communist International as set forth in the *Programme* includes—

> The Communist International—the International Workers' Association—is a union of Communist Parties in various countries; it is a world Communist Party. As the leader and organizer of the world revolutionary movement * * * and the upholder of the principles and aims of Communism, the Communist International * * * fights for the establishment of the world dictatorship of the proletariat, for the establishment of a World Union of Socialist Soviet Republics, for the complete abolition of classes and for the achievement of socialism—the first stage of Communist Society (Pet. Ex. 125, p. 85).

Respondent's *Manual on Organization* defines the Communist International as follows, which is pertinent for comparison with the foregoing quotations:

> The Communist International is the international organization of Communist Parties in all countries. It is the World Communist Party. The Communist Parties in the various countries affiliated to the Comintern are called Sections of the Communist International (Pet. Ex. 145, p. 42).

The record shows, in addition to the fact that the Communist International was organized and formed by the Soviet Union and had the aforestated aims, that the Soviet Union exercised complete control over the policies and activities of the Communist International. All of the heads of the Comintern that are identified in the record have been leading members of the Communist Party of the Soviet Union. The meetings of the governing committees and the congresses shown in the record have been held in Moscow. Witnesses who had been representatives of Respondent to the Comintern established that the Communist Party of the Soviet Union was the leading party (section) in the Comintern, and its decisions were binding on the executive committee of the Comintern and such decisions of the Comintern bound all other member parties; furthermore it had five votes on the executive committee to one each for the other larger parties. The government of the Soviet Union financed the Comintern.

The record also establishes through both oral and documentary evidence that as a section or member of the Communist International, Respondent was under the complete domination and control of the Communist International regarding its policies, activities, programs, and other operations. Illustrations and examples of Respondent's acceptance of and adherence to directions and instructions from the Communist International are covered in the parts of this report which follow and include the teaching and advocacy of the overthrow of "imperialist" governments; trade union activities; work among the youth; and the recognition and acceptance of discipline; as well as details concerning Respondent's organizational structure and internal administration.

Also significant, and indicative of Respondent's acceptance of, or submission to, control over it by the Communist International, are various other official statements and teachings by Respondent subsequent to the time that it became a part of the Communist International, and Respondent's acceptance and following of instructions of Comintern respresentatives sent to the United States. The activities in the United States of Comintern and other foreign Communist representatives is covered elsewhere in this report. With respect to the specific actions of Respondent and its teachings as evidencing the acceptance of domination and control by the Comintern, the record shows that early in 1921, Respondent revised its program and constitution "in conformity with the Theses and Statutes of the C. I.", and adopted the "twenty-one points for affiliation to the C. I."[13] (Pet. Ex. 123, p. 1), and became an "integral part of the Communist International" (p. 2). In 1929, Respondent's Central Committee issued a "Discussion Outline for Lenin Campaign" which in effect explains the role of the Party as that defined by the "Program of the Comintern" and states:

> One who fights the Soviet Union and the Comintern is an agent of capitalism directed against our Party in its campaign to mobilize the workers against imperialist war and for defense of the Soviet Union (Pet. Ex. 108, p. 6).

The "Thesis and Resolutions" for the Seventh National Convention of Respondent[14] which were adopted by the Convention in 1930, refer to "communications" from the Cominetern in connection with various tasks of the Party (Pet. Ex. 132, p. 32, p. 54). The resolutions adopted at the 8th convention of Respondent in 1934 include the following:

> The E. C. C. I. is the Executive Committee of the Communist International. It is the general staff of the world revolutionary movement giving unity and leadership to the Communist Parties of the world. The E. C. C. I. meets in plenary session at intervals of between six months and one year. The body acting in highest authority between one pleanry session (Plenum) of the E. C. C. I. and the other, is the Presidium of the Communist International. The Communist Party of the U. S. A. is the American Section of the Communist International (Cominetern) (Pet. Ex. 136, p. 18).

Petitioner's witnesses Budenz, Crouch, Gitlow, Honig, Johnson, Kornfeder, Lautner, Meyer, and Nowell each testified concerning various aspects and manifestations of the control exercised over Respondent by the Communist International while these witnesses were members of Respondent and held various official positions. Gitlow was a top official of Respondent and in 1928–1929 was a member of the Executive Committee of the Communist International. He states unequivocally that the Comintern controlled all major policies of Respondent and cites instances such as convention arrangements and the policy of the party press which were based upon Comintern directives or instructions. Kornfeder knows of no instance during his membership, 1919–1934, when Respondent deviated from Comintern instructions and shows that the qualifications for attending Communist training schools in Moscow were set up by the Comintern, and that members of Respondent recommended to become students at the schools had to be approved by the Comintern. Nowell and Honig both were in Moscow during the 1930's as students and representatives of Respondent and participated in the work of the Communist International, particularly the preparation of directives to Respondent—which directives were carried out. Meyer, an American citizen, returned to the United States in 1934, having been a member of the British Communist Party, and was not required to fill out an application to join Respondent since he was merely transferring from one section of the Communist International, or Communist movement, to another. Johnson, a member of Respondent from 1930 to 1940 and at one time on the Central Committee, was taught at Respondent's National Training School, and saw in operation, that under the rules of the Comintern no person could hold or resign from a position of leadership without the approval of the Comintern. He also states unequivocally that he knows of no single instance during his membership where Respondent ever opposed a decision of the Comintern.

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[13] These "conditions" spelled out rigid requirements of allegiance to the Comintern with provisions for strict discipline as well as details as to the form of the Communist Parties and their activities.

[14] The "Thesis and Resolutions" represented the prime authority of Respondent in its programs, policy and practical orientation for the period 1930–1934 which were applied in practice and in Respondent's schools.

The foregoing is only a part of the considerable testimony on the activities of the Communist International concerning the Respondent in the United States but serves to illustrate Respondent's role as a member or part of the Communist International.

In view of our finding that the Communist International was founded and controlled by the Soviet Union, and of our further finding that the Communist International dominated and controlled Respondent, and upon the entire record, we find and conclude that the Communist International for over twenty years constituted the organizational instrumentality through which the Soviet Union dominated and controlled the Communist Parties throughout the world, including Respondent.[15]

As later herein covered, Respondent announced its "disaffiliation" from the Communist International in 1940, and the "dissolution" of that organization was announced in Moscow in 1943. It is pertinent before concluding this aspect of our findings concerning the Communist International to note that the Communist International stood "wholly and unreservedly upon the ground of *revolutionary Marxism* and its further development, Leninism" (Pet. Ex. 125, p. 8). Because of the importance of "Marxism-Leninism" in this proceeding, its meaning is determined in detail later in this report.

Concerning Respondent's organizational form and changes therein, we find that early in Respondent's existence, in 1924, the Communist International "decided" that various factions in the United States should amalgamate into a single party, which was done. The evidence hereinafter summarized and the entire record establishes that Respondent is that Party.

We further find that in 1929 another factional dispute existed in Respondent which was a reflection of a struggle in the Communist Party of the Soviet Union and in the Communist International between the forces led by Stalin and those led by Bukharin. Although a minority of only about 10 percent in Respondent, led by Foster, supported Stalin, whereas the majority of about 90 percent, led by Lovestone and Gitlow sided with Bukharin, the solution of the dispute dictated by Stalin was adopted by the Comintern and accepted by Respondent, representatives of the Comintern being sent to the United States to supervise its effectuation. The result of the "liquidation of the factional situation in the Communist Party" (Pet. Ex. 126, p. 245) was the expulsion from Respondent of Lovestone, Gitlow and others and the placing of the leadership of Respondent in the Foster group. Earl Browder was recalled from China by way of Moscow to become General Secretary of the Party. Foster was given a high position. He became a "builder of the Party" (Pet. Ex. 126, p. 247). This is the William Z. Foster who is presently National Chairman of Respondent.

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[15] Respondent's witness Gates stated on cross-examination that "The Communist International was an actual organization of the world Communist movement and we were affiliated at one time. We are not affiliated now, and the organization no longer exists."

In 1940, Respondent announced its disaffiliation from the Communist International. We find that the primary reason for the disaffiliation was to avoid registration of the Respondent as a foreign agent under the Voorhis Act of October 17, 1940; and that the disaffiliation did not alter in any substantive way the relationship between Respondent and the Communist International or the world Communist movement. Respondent's amended answer admits it was "affiliated" with the Communist International prior to November 1940, and states that it "disaffiliated" from the Communist International in November 1940. The amended answer and the evidence offered by Respondent seek to establish, however, that, "Since 1940, the Communist Party has had no international affiliation of any kind —although it follows with interest the experiences of other Communist Parties, reads their journals, and on appropriate occasions sends or receives fraternal greetings" (amended answer, p. 17).

Witness Meyer was present as a member at the State Committee meeting when the delegation to the convention of Respondent which considered the disaffiliation reported back to the Illinois-Indiana District. The substance of the delegation's report was that the disaffiliation was a matter of expediency, that it changed nothing fundamentally or significantly, and that it had to be done to preserve the legality of the Party. Witness Lautner was a delegate to the convention and also describes the understanding of the convention to be that the disaffiliation was one of expediency which in no way affected the Party's attitude on the question of proletarian internationalism. Witness Crouch attended a convention-time meeting of the Politboro and district organizers where Earl Browder, then general secretary of the Party, said that the actual relations of the Respondent to the Communist International would remain exactly the same in the future as they had in the past, that Respondent would continue to be guided by the Communist International and that because of the political development of Respondent the matter of formality in the relationship was no longer as necessary as it had once been. The district organizers were assigned the duty to go back to the respective districts and explain the reasons for disaffiliation which Crouch, being a district organizer at the time, did.

Respondent's witness Flynn testified on cross-examination that she was on the National Committee of Respondent when the resolution of disaffiliation was discussed. She says:

> * * * we were not disaffiliating in anger, or disaffiliating to fight the Communist Internationale. It was, you might say, a friendly divorce (Tr. 14002).

We find the evidence preponderates to establish that the disaffiliation was for the expediency of avoiding registration as a foreign agent and did not alter Respondent's relationship with the Communist International or the world Communist movement.

We have heretofore set forth our finding that the Communist International was the means or vehicle through which the Government and the Communist Party of the Soviet Union directed and led the Communist Parties of the various countries, including Respondent. In 1943, upon approval by the various member Communist Parties of a proposal by the Presidium of the Executive Committee, the Communist International was dissolved.[16] Respondent, having a few years earlier announced its "disaffiliation" from the Communist International, was not "called upon to participate in the decision" (Pet. Ex. 207, p. 657). It did, however, hail and support the dissolution. Stalin, who at the time was the chairman of the Council of People's Commissars of the U. S. S. R. and a leading member of the Politboro of the Central Committee of the C. P. S. U., stated the dissolution was "proper and opportune" in that it facilitated the organization of a general onslaught against the common enemy, Hitlerism (Pet. Ex. 204). In supporting and hailing the dissolution of the Communist International, Respondent took the same line as that expressed by Stalin, i. e., that the dissolution "is a well aimed blow * * * at Hitler * * *" (Pet. Ex. 206), and pointed out in the Daily Worker that the "particular organizational form for international proletarian unity * * * became a hindrance to the further strengthening of the national workers' parties" but that the dissolution "must not be mistaken as a sign of weakness or of helpless collapse" (Pet. Ex. 205). In view of the foregoing, and upon consideration of the subsequent manifestations of the operations of the world Communist movement and of Respondent's conduct and activities as elsewhere herein covered, and upon the entire record, we find and conclude that the dissolution of the Communist International was merely the termination of the use of that "particular organizational form," and a change in the means and the particular vehicle for promoting and advancing the world Communist movement.

We find that during the year following the announced dissolution of the Communist International, Respondent's organizational form and some of its tactics underwent a change. It became known as the Communist Political Association from May 1944 until June 1945[17] when it was reconstituted as the Communist Party. During this period, there was a deemphasis on the use of some of the Marxism-Leninism principles and the central teaching was around the current documents of the Party, which put forward the so-called "Teheran line" that advocated, at least for the time being, a peaceful coexistence of the United States and the Soviet Union. We note that in becoming the CPA there was no substantial change: Respondent's membership and leadership were the same, and upon reverting to the CPUSA in 1945, similarly, its membership was the same and, with one substantial exception, so was the leadership. Because of his lack of adherence to the proper tactical line, Earl Browder was characterized as a "revisionist" and "deviationist,"[18] and was deposed as a leader whereupon the full Marxist-Leninist revolutionary ideology and action was again reemphasized.

Respondent's present organizational form commenced with its return in 1945 to the name Communist Party upon simultaneous dissolution of the Communist Political Association. A primary purpose of again changing was to reemphasize the Marxist-Leninist Classics, particularly the writings of Stalin, the *History of the Communist Party of the Soviet Union (Bolsheviks)* and Dimitroff's Report to the Seventh Congress which deals with the true nature of how to conduct the united front while forwarding the Communist revolutionary aims.

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[16] Petitioner's witness Dr. Mosely considers that because of the nature of the Communist International, the "proposal" to dissolve it by its Presidium was regarded as a "decision" to dissolve it (Tr. 7370).

[17] Foster opposed the change on the ground it was not in line with the revolutionary position of Marxism-Leninism. His oppostion was contained in a letter to the National Committee, which letter was suppressed from the membership at the time and not made known until shortly before the change back to the CPUSA.

[18] In January 1950, Petitioner's witness Lautner, then on Respondent's Central Control Commission, and Jack Kling, then National Treasurer, discussed Browder's recent pamphlet wherein he stated that during the fifteen years of his leadership in Respondent, all major policies put into effect had the previous knowledge, consent, and active support of the decisive international Communist leadership. Kling called it stool-pigeon work on the part of Browder.

We find that in addition to this reemphasis on Marxism-Leninism, which it was established by the evidence in this proceeding are the basic laws for a world Communist revolution, the facts directly surrounding the reconstitution are indicative of foreign domination and control of Respondent. A few weeks after returning from Moscow to France, Jacques Duclos, a leader of the French Communist Party, member of the Executive Committee of the Communist International until the announced dissolution of that organization, and a spokesman for the world Communist movement, issued a statement through the French Communist Party Journal, entitled "On the Dissolution of the Communist Party of the United States" (Pet. Ex. 208). Duclos' statement appeared in the April 1945 issue of the French publication. The substance and effect of the Duclos statement is that it was a mistake to dissolve the Communist Party of the United States—"in truth, nothing justifies the dissolution of the American Communist Party, in our opinion" (Pet. Ex. 208, p. 671); that a "powerful Communist Party" in the United States is necessary "in the struggle taking place between the progressive forces of the earth and Fascist barbarism" (Pet. Ex. 208, p. 672). Upon the record, we find that the Duclos statement represented authoritative criticism made by a spokesman for the world Communist movement.

In the month (May 1945) following the publication of the Duclos statement in the French Communist Party organ, Manuilsky, a leading Soviet Union Communist, and a former official of the Communist International, who at the time was in the United States as Ukranian representative to the United Nations Conference on Organization in San Francisco, let it be known to Respondent that it should observe the guidance and counsel of the French comrades. In June, the National board of the Communist Political Association met and called a meeting of the National Committee for later in the month, which in turn called a national convention for July. It was at this convention that the CPUSA was reconstituted in its present form as a militant Marxist-Leninist party.

As in the case of forming the Communist Political Association the year before, the same persons who had been officials of the CPA and the Party before that, led in reforming the Communist Party and, with the exception of Browder and a few others with minor rank, remained the leaders of the reconstituted party. As earlier herein found, Browder was expelled as a "revisionist" for departing from the orthodoxy of Marxism. Foster, upon taking over as a national chairman pointed out the necessity for reemphasizing the revolutionary line of Marxism-Leninism.

The record establishes that subsequent to the reconstitution of Respondent, an additional event of significance has taken place in the world Communist movement—the formation of an organization known as the Information Bureau of Communist and Workers' Parties or the Communist Information Bureau, sometimes referred to in the record as the "Cominform". The significance lies in respondent's attitude toward this organization, the sameness of views and policies of respondent and the organization, and Respondent's use and treatment of statements appearing in *For a Lasting Peace, for a People's Democracy*, the official organ of the Cominform.

The exact nature and characteristics of the Communist Information Bureau are not precisely defined on the record. The record shows that the organization is composed of a number of Communist Parties of various countries and was established as a result of a decision taken at a conference held in Poland toward the end of September 1947. The record contains copies of two reports given at this founding conference, one by A. Zhdanov, then a member of the Politburo of the Communist Party of the Soviet Union and principal Soviet representative at the founding conference. The other report was given by Georgi M. Malenkov, then a member of the Central Committee of the Communist Party of the Soviet Union and secretary of the CPSU.[19] Based on these reports and the testimony of witnesses, we find that the purpose of the Communist Information Bureau is to mobilize forces in opposition to United States "imperialism".[20]

Shortly after the establishment of the Cominform, Respondent announced publicly that "the present political situation in the United States is such that the Communist Party should not affiliate" with the new Information Bureau, but stated the establishment of the Bureau "is of great significance" and makes more effective the "resistance to the program of imperialist expansion." Respondent's announcement further states that respondent "will continue to promote the international solidarity of all anti-fascists and anti-imperialists" (Pet. Ex. 368).

Respondent's witnesses Gates and Flynn, members of the National Committee, in summarizing Respondent's position stated that all they know about the Information Bureau is what they read in the "capitalist" press and the journal of the Bureau; that the Information Bureau never issued directives to Respondent; and, that Respondent's use of *For a Lasting Peace, for a People's Democracy* is to see what is going on within various Communist Parties throughout the world with whom Respondent shares common interests. The record shows an attitude of arrogance and evasiveness on the part of witness Gates concerning the Communist Information Bureau which causes us to discount much of his testimony on the matter. Even after considerable questioning on cross-examination he was unwilling or unable to explain what was meant by "official documents" of the Cominform for which Respondent waited, before taking a position regarding the organization, and was unwilling or unable to explain why and how, in that connection, Respondent's announcement that it would not join the Cominform was made 7 days before publication of the first issue of *For a Lasting Peace, for a People's Democracy*, dated November 10, 1947, which he had said might have been the official documents. Upon being asked whether issues of *For a Lasting Peace, for a People's Democracy* weren't received over here "before they were published? Before November 10, when the first issue came out?" the record shows the following at page 13212:

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[19] Subsequent to the closing of the hearings for the purpose of taking evidence in this proceeding, and upon the announced death of Joseph Stalin, Malenkov has become the announced leader of the Soviet Union. See additional reference to Malenkov at p. 53 of this report.

[20] The Communist concept of "imperialism" and "the struggle against imperialism" is covered in detail at pp. 44–56 of this report.

> Answer: [by Gates]. Well, I don't believe in the supernatural, but if you do, that may have been possible.
>
> Mr. BROWN. That is unnecessary.
>
> The WITNESS. I can only answer a stupid question in such a way.

Later, Gates was questioned regarding whether the Communist Party in the United States or the *Daily Worker* or *Political Affairs* ever deviated from the expressed views and policies of the Cominform, and answered to the effect that the party and *Daily Worker* never deviate from what they consider the best interests of the American people and "if we have not expressed any disagreement with any views that have been put forward in *For a Lasting Peace, for a People's Democracy*, that is because we believe those views have not been in contradiction to the interests of the American people." (Tr. 13226–13227). He was then asked to give any instances of deviation and replied, "I have answered the question." The question was repeated by a Panel member who asked the witness if he could answer "Yes" or "No," to which the reply was: "[It] is a loaded question," and, upon being advised the panel did not consider it to be, the witness responded with "You may not think so, but I think so"; and, "After all, I am the one who is on the witness stand and not you."

The evidence shows that the Zdhanov report, contained in the first issue of *For a Lasting Peace, for a People's Democracy*, was studied in Respondent's clubs or cells as "the key to the whole movement"; that it was used in Respondent's schools as a major document stating and explaining the strategic aims of the world Communist movement. Malenkov's report was also studied and discussed. The record further shows that copies of *For a Lasting Peace, for a People's Democracy* have been made available to functionaries and clubs or cells of Respondent. Petitioner's witness Philbrick, based on 9 years' membership and activity in the Party, states that a member of Respondent could not disagree with a directive or a position taken by the Cominform and still remain a member of the Party. Additional facts concerning the Communist Information Bureau are set forth elsewhere in this report.

The two aforementioned reports of Zdhanov and Malenkov comprise the most direct evidence of record bearing upon the nature and characteristics of the Communist Information Bureau aside from what is contained in Respondent's announcement that it would not join the organization. Zdhanov's report says the Communist International was dissolved because "the direction [21] of these parties [what he calls "mass labor parties"] from one centre became impossible and inexpedient." But, he continues, "experience has shown that such mutual isolation of the Communist Parties is wrong, harmful and, in point of fact, unnatural" and that "continued isolation may lead to a slackening of mutual understanding, and at times, even to serious blunders." (Pet. Ex. 214–A).

Malenkov puts it as follows:

> The absence of contact between Communist Parties is a hindrance in coordinating the actions of Communists in various countries in their resistance to the plans of the imperialists, particularly now, when American monopoly capital is organizing an offensive against Communism and democracy against the U. S. S. R. and the new democracies, developing its expansionist plans with the intention under the guise of "aid", of enslaving a number of European and other countries,

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[21] Compare Zdhanov's use of "direction" with the public announcements that the Comintern was dissolved to help defeat Hitlerism (p. 15 herein) and to stop the "false charges" of direction from Moscow.

> and when Communists are called upon to define their attitude to these plans of American imperialism.
>
> In our opinion it is necessary to put into effect definite measures designed to eliminate the present abnormal situation in this respect.
>
> That is why we consider it necessary to discuss at the present conference both the international situation and the question of improving contact between Communist Parties, of establishing regular connections between them a view to achieving mutual understanding, exchange of experience and voluntary coordination of activities of the Communist Parties whenever they consider this necessary (Pet. Ex. 367, p. 145).

Respondent's statement characterized the Cominform as "a medium through which these parties can consult, and, if they deem it desirable, coordinate activity." (Pet. Ex. 368, p. 2).

In 1943, upon approval by the member Communist Parties of a proposal by the Presidium of the Executive Committee, the Communist International was dissolved to stop what they called false charges that the International dictated directives from Moscow.[22] As later herein developed, a fundamental principle of the world Communist movement is to do the best possible for the cause under given circumstances—to charge when conditions warrant and to retreat when conditions require so as to marshal forces and await the sharpening of the opportunities. In view of these facts, of the foregoing facts concerning the Cominform, and on the entire record, we find and conclude that the Communist Information Bureau represents what the Communists consider the best possible substitute at the present time for the Communist International and that Respondent's support of the Information Bureau, its use of *For a Lasting Peace, for a People's Democracy*, and its nondeviation from the line of the Bureau, are done for the purpose and with the aim of advancing the objectives of the world Communist movement.

Summarized, the foregoing establishes that shortly after its formation in 1919 Respondent became a part of the "World Communist Party" dominated and controlled by the Soviet Union; that in 1924 Respondent was "amalgamated" pursuant to instructions of the Soviet Union; that in 1929 a factional dispute in Respondent was settled by the Soviet Union and new leadership of Respondent was installed according to directives from the Soviet Union; that in 1940 Respondent publicly announced "disaffiliation" from the Communist International (organizational form of the World Communist Party) and that the real reason being to avoid registration as a foreign agent and its "disaffiliation" was merely pro forma and represented no change; that from May 1944 to June 1945 Respondent's name was changed to the Communist Political Association and Respondent followed the tactical maneuver of advocating the possibility of peaceful coexistence between the United States and the Soviet Union; that in June 1945 Respondent changed its name back to the Communist Party under circumstances in which the Soviet Union played an active part; and that since June 1945 there have been no major or substantial organizational changes in Respondent.

In addition to the fact that the variations in the organizational structure of Respondent have been based upon specific directives and instructions from the Soviet Union, these variations are a manifestation of Respondent's following the overall Marxism-Leninism policy of doing what is opportune at any stage of the revolution, as later herein developed.

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[22] See Note 21, *supra*, p. 18.

In determining whether or not Respondent is dominated and controlled by a foreign government, we have taken into consideration certain facts established on the record concerning the careers and activities in their official capacities of a number of Respondent's present leaders, including its national chairman, William Z. Foster. We have previously herein set forth the fact that Foster became a leader of Respondent as a result of the solution in 1929 of the factional dispute in Respondent upon action by Joseph Stalin and the Communist International. In this connection, it is pertinent to consider the following statement by Stalin in 1929 as contained in certain speeches he made on the American Communist Party:

> The struggle for the winning of the millions of the working masses to the side of Communism must be intensified. The fight must be intensified for the forging of real revolutionary Party cadres and for the selection of real revolutionary leaders of the Party, of individuals capable of entering the fight and bringing the proletariat with them, individuals who will not run before the * * * storm and will not fall into panic, but will sail into the face of the storm (Pet. Ex. 145, p. 111).

It is reasonable to conclude that the selection of Foster as a leader of Respondent, following the speech of Stalin, identifies Foster as the type of leader to whom Stalin referred.

We further find that for a number of years prior to 1940 Foster was an official of the Communist International; that Foster and Jack Stachel, among others, represented the Respondent at the Seventh World Congress of the Communist International in Moscow in 1935; that Foster is a recognized spokesman for the world Communist movement; that Foster is recognized among Communists as an authority on and follower of Marxism-Leninism; that Foster in 1944 did not push his objections to the formation of the Respondent as the Communist Political Association but rather refrained from deviating, for the stated reason that he would have been expelled if he had. In view of the foregoing, and upon the whole record, we conclude that William Z. Foster has been controlled in his activities as a top leader of Respondent by leaders of the Soviet Union and, during its existence, by the Communist International; and we find that this furnishes some evidence that Respondent as an organization has been and is controlled by the Soviet Union.

We further find that a substantial number of Respondent's present leaders, including Foster, Stachel, Bittelman, Green, Winter, and Williamson, have been to the Soviet Union on numerous occasions on Party business and have been indoctrinated and trained in the Soviet Union on Russian strategy and policies. These leaders have taught in Party schools, written for the Party press, and spoken at Party meetings, on various phases of Marxism-Leninism, including the leading position of the Soviet Union, the concept of proletarian internationalism, and the necessity of revolutionary overthrow of imperialist nations, particularly the United States. We find that Foster and these other leaders of Respondent have accepted the views and policies of the Soviet Union and have carried such views and policies into Respondent, making them the views and policies of Respondent. We find that this fact furnishes additional evidence that Respondent is dominated and controlled by the Soviet Union.

In making the foregoing findings, we have taken into consideration the facts as to the recognition by Respondent's leaders of a disciplinary power in the Soviet Union, and the allegiance of such leaders to the Soviet Union, as elsewhere in this report set forth.

The variations in the organizational structure of Respondent can very well be said to conform to the overall policy of Marxism-Leninism of doing what is expedient under the given circumstances at any stage of the revolution, as set forth in *Strategy and Tactics of the Proletarian Revolution* (Pet. Ex. 343, pp. 21–22), one of Respondent's compilations of basic Marxist-Leninist material. It is pertinent at this point to determine the meaning of "Marxism-Leninism" as understood and followed by Respondent.

2. *Marxism-Leninism*

The Respondent's constitution (1948) (Pet. Ex. 374) (readopted in 1950) states in the first sentence of its Preamble: "The Communist Party of the United States is a political party of the American working class, basing itself upon the principles of scientific socialism, Marxism-Leninism." Respondent's amended answer (pp. 10, 20–21) also admits that Marxism-Leninism is basic to the CPUSA. Marxism-Leninism is nowhere in the record specifically defined. It should be noted that we recognize that the theory of Marxism-Leninism, as such, is not an issue in this proceeding. Nor is it our purpose to consider the merits of Capitalism vis-a-vis Communism. However, in view of the fact that Marxism-Leninsim is declared to be basic to Respondent and because of the numerous references to it in the course of these proceedings, and in order to cast as much light as possible upon the issues involved, we have deemed it important to determine its actual meaning from the evidence of record. In this section, we present our findings of what it is, and how it is understood, used and followed by Respondent. We have limited ourselves here, in the main, to the meaning of Marxism-Leninism. The extent of Respondent's acceptance of it and adherence to it is more specifically treated in other portions of this report, wherein it is shown that adherence to Respondent's conception of Marxism-Leninism is evidentiary of submission to the domination and control of the Soviet Union.

In our determination we have had to reach certain conclusions concerning some of the terminology employed both in the writings and in the testimony of the witnesses. Where a difference in the meaning of any term appeared, we have given it the meaning warranted by a preponderance of the evidence.

The sources of Marxism-Leninism and also its corpus are to be found in the writings of Marx, Lenin, and Stalin and their collaborators, which writings are generally referred to as the Classics.[23] In order to understand the content of these Classics, we deem it desirable to present something of the background in which they are produced and also to indicate what we consider to be the chief contributions of each of the above individuals to the Classics and to Marxism-Leninism.

In the middle of the nineteenth century, Karl Marx, a German scholar, and Frederick Engels, an Englishman, developed what became known as Marxism. This was a form of Socialism. The basic tenet of Socialism is the ownership by the state of all the means of production and distribution. According to Marx, all society consisted of antagonistic classes, the principal one being the bourgeois or capitalist class, which, as a result of owning privately the means of production, exploited the propertyless working class. Marx announced particular interest in the propertyless factory workers whose numbers had increased as a result of industrialization. These factory workers he designated as the proletariat. Marx was influenced by the dynamic theories of the German philosopher Hegel, and applied Hegel's theories to the materialistic concepts of the Greek philosphers and developed a system which he called dialectical materialism. This is a theory of reality assuming continuous transormation of matter and dynamic interconnection of things and concepts and implies social transformation through socialism toward a classless society. Marx came to the conclusion that the only true value was the labor of the industrial working class. It was his thesis that capitalism had to expand in order to continue to exist and, as it spread, the proletariat class would correspondingly increase in numbers. According to his conception of history, capitalism contained the seeds of its own destruction and consequently it was inevitable that the classless state of society which he designated as Communism would ultimately come about. In order to expedite this, he theorized, it was necessary that the proletarian class, which would be greater in numbers than the bourgeoisie, be organized and be given leadership by a political party of all the workers of the world. The objective of this party would be to bring capitalism to an end and substitute for it a dictatorship of the proletariat in a socialist state. Eventually, according to his theory, the dictatorship of the proletariat would not be necessary because the state would wither away as soon as its citizens had become conditioned to living in a one-class society. Two of his most basic considerations were the class struggle and the world-wide character of the revolution. Much of this appears from the *Communist Manifesto* (Pet. Ex. 31), published by Marx and Engels in 1848.

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[23] See Appendix B, attached.

Lenin, a Russian revolutionist, adapted Marxism to Russian revolutionary purposes.[24] He proceeded to implement it in a way that gave it a practical turn. He utilized slogans. Consequently, he gave capitalism a new name: "imperialism." The quintessence of imperialism is monopoly-capitalism which "is the eve of the proletariat social revolution." He recognized that for the success of the proletariat revolution two things were most important: rigidity of organization and flexibility of policy. Organizationally, one of his first postulates was the necessity of creating a homogeneous group of disciplined professional revolutionists, among whom no factionalism or dissent would be tolerated, as a nucleus for the party of the proletariat. It should be noted that the Communist Party was formed in 1898 in Russia.[25] Lenin's group therein, the Bolsheviks, obtained control of that party in Russia because it was an intransigent body which permitted no deviation or compromise.

Stalin later advanced the Marxist-Leninist ideas to a practicality which developed somewhat differently from Marxist theoretical schemes. He says (*History of the CPSU(B)*) (Pet. Ex. 330, p. 355):

> The Marxist-Leninist theory is the science of the development of society, the science of the working-class movement, the science of the proletarian revolution, the science of the building of the Communist society. And as a science it does not and cannot stand still, but develops and perfects itself. Clearly, in its development it is bound to become enriched by new experience and new knowledge, and some of its propositions and conclusions are bound to change in the course of time,

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[24] See foreword to *What Is To Be Done?* (Pet. Ex. 417), by Alexander Trachtenberg, one of Respondent's leaders and manager of International Publishers.

[25] Trachtenberg's Foreword to *What Is To Be Done?* (Pet. Ex. 417).

are bound to be replaced by new conclusions and propositions corresponding to the new historical conditions.

What this means becomes clearer from what he previously stated (p. 355):

> The power of the Marxist-Leninist theory lies in the fact that it enables the Party to find the right orientation in any situation, to understand the inner connection of current events, to foresee their course and to perceive not only how and in what direction they are developing in the present, but how and in what direction they are bound to develop in the future.

There is also clarification in what he says subsequently (p. 356) when he tells how Lenin altered Marxism because of his experience in the Russian revolutions of 1905 and 1917. The tactical aspects of the theory thus attains a flexibility which would appear to make it mean what the current leaders of the CPSU want it to mean. So regarded, the theory supplies an easy explanation for all phenomena and furnishes a justification for any line of conduct which these leaders have adopted.

Marx, Lenin, and Stalin represent the supreme authorities of what became known as Marxism-Leninism as these writings constitute its body. All postulated the revolution on a world-wide basis. Lenin, and after him Stalin, proclaimed that it was not necessary to wait until the proletariat throughout the entire world was ready for a revolution, but that the attack against the capitalist world rightfully began by breaking its chain at the weakest link, which proved to be Russia. The Communists in Russia having succeeded, they then sought help from the proletariat throughout the world to support their victory. They also proceeded to try to foment revolution in any part of the world where it had a chance of being successful. The best example of applied Marxism-Leninism is the Communist International. That this organization is based on Marxism-Leninism appears from the *History of the Communist Party of the Soviet Union* (*Bolsheviks*) (Pet. Ex. 330, pp. 231–232). (See also pp. 10 and 13, under Organization and Leadership, *supra.*) Using the Communist International as an instrument, the Soviet Union, as the leader of an integrated organization with subsidiary groups throughout the world, issued directives to the Communist parties in the several countries. What these directives were and how they applied to Respondent will appear in a discussion of the Classics and of the testimony of witnesses which follows, as well as in various other sections of this report.

Against this background, it is pertinent to inquire why the Classics were written. An examination of their content discloses that they were intended to create, promulgate, and advance the world revolution of the proletariat. At an intermediate stage, they concentrated in large measure on Russia. At no time, however, was the main objective forgotten and when the revolution was successful in Russia, the emphasis was again brought back to the revolution on an international scale.

It should be noted that in the summaries, paraphrases, and quotations from the Classics which follow, we have conscientiously striven, and, we believe, successfully so, for complete accuracy and have endeavored to hold closely to the essence of the material being analyzed. Where excerpts have been quoted, we have selected those which we consider representative of the whole tenor of the writing from which they are taken.

How basic the international and revolutionary factors of Marxism-Leninism are appears at its inception in *The Communist Manifesto* (Pet. Ex. 31); "The history of society is the history of class struggles" (p. 9), "The bourgeoisie has played a most revolutionary role in history" (p. 11). "* * * and are now to be superseded by the proletariat through similar means" (p. 15). The proletarians have become organized into a class and consequently into a political party (p. 18). Of all the classes opposing the bourgeoisie, the proletariat alone is a really revolutionary class (p. 19). The Communists are a proletarian party whose aim is the conquest of political power by the proletariat (p. 22). The proletariat will become the ruling class and will use its political supremacy to wrest all capital from the bourgeoisie. The measures used to do this will be different in different countries (p. 30). The Communists everywhere must support every revolutionary movement against the existing order of things. Their ends can only be attained by the forcible overthrow of all existing social conditions. Workingmen of all countries are exhorted to unite for the Communist revolution (p. 44).

This international and revolutionary aspect is further stressed in the writings of Lenin and Stalin. In *State and Revolution* (Pet. Ex. 139), Lenin objects to the "chauvinism" of those "leaders of Socialism" who would water down Marx's doctrine by limiting it to single states (p. 5). Speaking of the Russian Revolution of 1917, he states: "This revolution can be understood in its totality only as a link in the chain of Socialist proletarian revolutions called forth by the imperialist war" (p. 6). "A Marxist is one who *extends* the acceptance of the class struggle to the acceptance of the dictatorship of the proletariat" (p. 30). In *The Dictatorship of the Proletariat* (Pet. Ex. 423, pp. 47–48), one of Lenin's fundamental postulates is quoted by Stalin on the international question: International imperialism cannot live side by side with the Soviet Republic and the greatest difficulty of the Russian Revolution is "the necessity to solve international problems, the necessity to call forth the world revolution." Stalin makes this thought even clearer in *Foundations of Leninism*. He says (at p. 9) that Leninism is not merely a Russian but an international phenomenon; and (at p. 17) that the Russian Communists were impelled by the whole situation, domestic and foreign, to transfer the struggle to the international arena. The same thought is even more forcibly expressed in Stalin's definition of Leninism (*Problems of Leninism*, Pet. Ex. 138, pp. 7–9; see also p. 19). From this definition it is clear that the whole movement based on Marxism-Leninism is regarded by its founders and chief protagonists as an internationalism which must operate with common theory and strategy and tactics in all countries. It is inescapable that all those working for the ultimate ends of the movement must work in unison and in one cohesive organization on a worldwide basis. This thought is expressed strongly in the *Theses and Statutes of the Third* (*Communist*) *International* (Pet. Ex. 8, p. 67):

> 4. It follows from the fundamental principles laid down above, that the policy of the Communist International on the National and Colonial questions must be chiefly to bring about a union of the proletarian and working masses of all nations and countries for a joint revolutionary struggle leading to the overthrow of capitalism, without which national equality and oppression cannot be abolished.
>
> 5. The political situation of the world at the present time has placed the question of the dictatorship of the proletariat in the foreground, and all the events of

> world politics are inevitably concentrating around one point, namely, the struggle of the bourgeois world against the Russian Soviet Republic, which is grouping around itself the Soviet movements of the vanguard of the workers of all countries, and all national liberation movements of the colonial and subject countries, which have been taught by bitter experience that there can be no salvation for them outside of a union with the revolutionary proletariat, and the triumph of the Soviet power over Imperialism.

The same thought suffuses the Classics throughout. It is not a tenet that can be accepted here and rejected there. It is integral in the whole texture of the material of the movement which those Classics represent. Like a fast dye, it colors every portion of that movement and cannot be eradicated because it is of its very essence.

It would burden this report unduly to quote in extenso the references in the Classics to the international and revolutionary nature of Marxism-Leninism and the interrelation of the sections of the Communist parties in all countries which it requires. Attention is directed to a number of places where these references are deemed particularly significant:

Foundations of Leninism (Pet. Ex. 121, pp. 17–19; p. 45, last par. and p. 46); *History of the Communist Party of the Soviet Union* (B) (Pet. Ex. 330, pp. 273–75); *State and Revolution* (Pet. Ex. 139, pp. 5, 6); *The Theory of the Proletarian Revolution* (Pet. Ex. 422, pp. 85–89); *The Dictatorship of the Proletariat* (Pet. Ex. 423, pp. 48–49).

We conclude from the above that the Classics advocate a revolution of the proletariat on an international basis, through the instrumentality of an international organization.

The primary objective of the world revolution is the termination of capitalism and establishment of the dictatorship of the proletariat. Lenin used the word "imperialism" to designate what he calls the parasitism and decay of capitalism at its highest stage of historical development (*Imperialism*, Pet. Ex. 140, p. 14). This imperialism is the arch enemy of the proletariat.

> Not the slightest progress can be made toward the solution of the practical problems of the Communist movement and of the impending social revolution unless the economic roots of this phenomenon are understood and unless its political and sociological significance is appreciated.
>
> Imperialism is the eve of the proletarian social revolution. This has been confirmed since 1917 on a worldwide scale.

It should be noted that the Classics emphasize strongly the use of slogans. The word "imperialism" and its adjective-noun form "imperialist" are used therein to form a variety of slogans. Thus, it will be seen from *The History of the Communist Party of the Soviet Union* (Pet. Ex. 330, pp. 167–69) that the Bolsheviks advanced the slogan of "*converting the imperialist war into a civil war*" and the slogan-policy of "*the defeat of one's own government in the imperialist war.*" As a corollary to this approach, wars are designated as "just" and "unjust." The "just" or "anti-imperialist" war is waged assertedly to liberate the oppressed from the yoke of imperialism. The "unjust" war is supposedly to conquer and enslave others. Wars of the first kind, the Bolsheviks supported. Of wars of the second kind, the Bolsheviks said, a resolute struggle must be waged against them to the point of revolution and the overthrow of one's own imperialist government. From these pages it will be seen that, according to Lenin, while capitalism is decaying and moribund, "imperialism" would not rot on the stalk; it could not be overthrown without a revolution.

We conclude from this that the Classics designate as the enemy, against which the international revolution must be directed, that form of capitalism which they term "imperialism"; and that they declare that any war waged against such imperialism is a just war and any war waged in its behalf is an unjust war.

Equally basic with the international and revolutionary character of the movement is the tenet of the dictatorship of the proletariat. In view of the divergence of testimony of witnesses for Petitioner and those of Respondent concerning the meaning and application of this tenet, we have taken particular pains to ascertain its real character. It is best understood from the volume *Dictatorship of the Proletariat* (Pet. Ex. 423), which is one of a series of "Readings in Leninism," consisting of articles and excerpts dealing with basic points of Leninist theory. Lenin's postulates on this question (pp. 47–54) make clear how important this phase of the revolution is deemed. Having once seized power through revolution, he states it becomes necessary that this power be held by a "dictatorship of the proletariat." A definition of what this is intended to be appears on page 49:

> The dictatorship of the proletariat is not the end of the class struggle but its continuation in new forms. The dictatorship of the proletariat * * * which has achieved victory and has seized political power, against the bourgeoisie who have been defeated but not annihilated, who have not disappeared, who have not ceased their resistance, who have increased their resistance.

Lenin makes clear that this dictatorship is not to be confused in any way with "popular" and "nonclass" government. He goes on to say:

> The class that has seized political power has done so, conscious of the fact that it has seized power alone. This is implicit in the concept of the dictatorship of the proletariat. This concept has meaning only when one class knows that it alone takes political power into its own hands, and does not deceive either itself or others by talk about popular, elected government, sanctified by the whole people.

Having seized power, the proletariat may find it necessary to enter into certain alliances to maintain that power. These alliances, however, are only temporary for the purpose of consolidating the revolutionary victory. It is emphasized again on page 52 that violence is essential, although not exclusive. The following passages are enlightening:

> But, of course, the dictatorship of the proletariat does not merely mean violence, although there is no dictatorship without violence.
>
> Dictatorship (says Lenin) does not mean violence alone, although it is impossible without violence. It likewise signifies a higher organization of labor than that which previously existed (*Collected Works*, Russian edition, Vol. XXIV, p. 305).

It involves the concept of "exercise of violence, unrestricted by law" (p. 54). Also significant is the position to be held by the Communist Party in the dictatorship of the proletariat. It is stated (p. 100): "The stronger the Communist Party created by us in each country the sooner will the 'Soviet idea' triumph." The Communist Party has declared itself to be necessary to the working class not only before the seizure of power and not only during the seizure of power, but before the power has passed into the hands of the working class. It is further stated (p. 101) that the Party must keep in control until the classless society is finally attained.

From *Problems of Leninism* (Pet. Ex. 138, pp. 34–38) it will be seen what meaning Lenin and Stalin give to the dictatorship of the proletariat. At the core of the dictatorship is the Party which gives directions. These directions are carried out by the mass organizations of the proletariat and are fulfilled by the general population. The minority seizes power and controls because the exploited workers have not yet developed their human faculties. There is another step which may become necessary. If the bourgeoisie resist or there is intervention in its behalf then the active body is the proletariat as a class. The Party takes power, the Party governs the country, and it is the core of this power; but it takes power in the name and purportedly on behalf of the class.

In *Foundations of Leninism* (Pet. Ex. 121, p. 53), the origin of the dictatorship of the proletariat is thus stated:

> Briefly: *the dictatorship of the proletariat is the rule—unrestricted by law and based on force—of the proletariat over the bourgeoisie, a rule enjoying the sympathy and support of the labouring and exploited masses* (*The State and Revolution*).
>
> From this follow two main conclusions:
>
> *First conclusion:* The dictatorship of the proletariat cannot be "complete" democracy, democracy for *all*, for the rich as well as for the poor; the dictatorship of the proletariat "must be a state that is democratic *in a new way—for *the proletarians and the propertyless in general—and dictatorial in a new way—against** the bourgeoisie * * *" (Lenin, Selected Works, Vol. VII, p. 34) (Pet. Ex. 121, p. 53). *[my italics—J. S.]
>
> *Second conclusion:* The dictatorship of the proletariat cannot arise as the result of the peaceful development of bourgeois society and of bourgeois democracy; it can arise only as the result of the smashing of the bourgeois state machine, the bourgeois army, the bourgeois bureaucratic machine, the bourgeois police (Pet. Ex. 121, p. 54).

We conclude that "dictatorship of the proletariat" as used in the Classics connotes a seizure of power by or in the name of the proletariat through violence, if necessary, and the absolute and despotic rule by a minority in the name of the proletariat.

In addition to the requirements for a rigid Party organization with a hard core of dedicated workers, noted above, the overall policies and rules for effectuating the ends and objectives of the Party are to be found in the Classics. These are effected through an organizational principle known as "Democratic Centralism" and by general directions for strategy and tactics.

The *History of the Communist Party of the Soviet Union* (*Bolsheviks*) (Pet. Ex. 330, p. 198) states that in July and August 1917, prior to the successful October Revolution, the CPSU adopted "new Party rules" providing that "all Party organizations shall be built on the principle of *democratic centralism*," which provided, inter alia, that all directing bodies of the Party shall be elected; that they give periodic reports to Party organizations; that there be strict Party discipline and the subordination of the minority to the majority; and that all decisions of higher bodies shall be absolutely binding on lower bodies and on all Party members.

Strategy and Tactics of The Proletarian Revolution (Pet. Ex. 343, p. 62) states:

> The Party is the vanguard of the working class, and consists of the best, most class conscious, most active and most courageous members. It incorporates the whole body of experience of the proletarian struggle. Basing itself upon the revolutionary theory of Marxism and representing the general and lasting interests of the whole of the working class, the Party personifies the unity of proletarian principles, of proletarian will and of proletarian revolutionary action. It is a revolutionary organization, bound by iron discipline and strict revolutionary rules of democratic centralism, which can be carried out owing to the class consciousness of the proletarian vanguard, to its loyalty to the revolution, its ability

to maintain inseparable ties with the proletarian masses and to its correct political leadership which is constantly verified and clarified by the experiences of the masses themselves.

"Democratic Centralism" is stated by the witnesses for Respondent to represent the highest form of democracy in that it provides that all decisions and policies of the Party are determined by the membership and that authority flowed up from this membership through intermediate local and regional committees to the central committee. A decision once made, however, would be binding on all members. Witnesses for Petitioner testified that "Democratic Centralism" was theoretically a two-way process by which authority flowed upward from Party cells through intermediate local or regional committees to the top and discipline flowed downward from the same channels. However, they stated that in practice the double process has been reduced to a single process in which discipline flows downward with limited right of discussion in the lower echelons on matters of local tactics.[26]

This policy is strongly expressed in the *Programme of the Communist International* (Pet. Ex. 125, p. 84):

> This international Communist discipline must find expression in the subordination of the partial and local interests of the movements to its general and lasting interests and in the strict fulfillment, by all members, of the decisions passed by the leading bodies of the Communist International.

The idea behind democratic centralism is best expressed by Stalin in *Foundations of Leninism* (Pet. Ex. 121, pp. 119–121): What is required for success is an iron party under iron discipline. A Communist Party will only be able to perform its duty if its Party center is a powerful and authoritative organ. No factions are permitted—there must be absolute unity of will and that must emanate from the Party's center. All groups or factions which disagree must be immediately expelled.

We conclude from the whole record that "Democratic Centralism", as it is used in the Classics, is an organizational principle which contemplates a rigid discipline emanating from the top of the movement, binding on the parent and all subsidiary organizations and on all members of such organizations. Failure to adhere to such discipline is punishable by expulsion from the movement.

With the organizational structure thus indicated, the Classics then provide strategic and tactical directions for arriving at the objectives of Marxism-Leninism.

One of the characteristics of Marxism-Leninism is that in addition to its doctrine it also provides directives for the attainment of the objectives contemplated by such doctrine. Marxism-Leninism is declared to be a guide to action (*History of the CPSU (Bolshevik)*) (Pet. Ex. 330, p. 306). While the ends to be reached are fixed, the manner and methods of reaching them, it will be seen, are exceedingly flexible. What these are appear most concisely in *Strategy and Tactics of the Proletarian Revolution* (Pet. Ex. 343).

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[26] As witness Kornfeder states it, he was taught that the Party's basic form of organization is a supercentralized political party with a high degree of discipline. He describes it as a military type of political organization with an established chain of command, permitting lower units considerable leeway in discussing local tactical problems. He states that he was taught that the general staff or the general headquarters of the organization was the Communist International, in Moscow. At the time of which he speaks, he says that the Communist parties of all countries were affiliated with the Communist International. Witness Philbrick stated when asked whether a member of his group could refuse to accept the decision of the Cominform and still continue membership in the Communist Party of the United States, that such member could not continue as a member of the Party. Witness Lautner says that it was a breach of democratic centralism for any Communist Party anywhere, including the CPUSA, to refuse to follow the dictates of the Soviet Union.

In summary, it states the following: The strategy and tactics were elaborated in the period of proletarian revolution when the question of the overthrow of the bourgeoisie became a question of immediate practice. Lenin brought into the light of day the ideas of Marx and Engels on tactics and strategy and developed them further into a "*system of rules and principles for the leadership of the class struggle of the proletariat*" (p. 8). Communists of every country must adapt themselves to the peculiar features of the economics, politics, culture and national composition of the country in which they are operating (p. 14). As long as national and state differences exist among peoples and countries, the unity of international tactics of the Communist working-class movement requires, not the elimination of variety, but an adaptation of the fundamental principles of Communism (Soviet power and the dictatorship of the proletariat) to the national and state differences. The vanguard of the working class having been won over, the next step is to seek the transition or approach to the proletarian revolution (p. 15). The revolutionary class must be able to master all forms of social activity and must be ready to pass from one form to another with the utmost expedition (p. 16). The tactics of the Bolsheviks were correct because they were the only international tactics and did everything possible in one country for the development, support and stirring up of the revolution in all countries (p. 16). Bolshevism has helped in a practical way to develop the proletarian revolution in Europe and America (p. 17). The world proletarian revolution has been assisted, accelerated and supported by the victory of the proletariat in Russia (p. 18). The objective elements of the working class movement are the economic development of the country, the development of capitalism, the disintegration of the old government, the spontaneous movements of the proletariat. The collision of classes proceeds irrespective of the will of the proletariat. But the subjective element, the reflection in the minds of the proletariat of these processes, is the subject of the directing influences of strategy and tactics (p. 19).

The theory of Marxism postulates that the fall of the bourgeoisie, the seizure of power by the proletariat and the replacement of capitalism by socialism are inevitable (p. 20). Strategy is the determination of the direction of the main blow of the proletariat at a given stage of the revolution (p. 21) and it changes with the transition of the revolution from one stage to another and remains unchanged throughout the duration of a given stage (p. 22). Tactics are the determination of the line of conduct of the proletariat during the ebb and flow of the movement, changing the forms of struggle and its slogans (p. 25). Thus, in the Russian revolution changes were made as the struggle progressed; strikes, boycotts, slogans were used and varied along with the forms of organization, a worker's party operated more or less openly, as the immediate situation required. In the earlier phases the Party was compelled to resort to tactics of retreat. When the revolution ebbed, operations were less open and the Party went underground; and cultural work and the organizations "permitted by law" took the place of revolutionary mass organizations. The same was true during later stages of the revolution (p. 26). Tactics are the operations suited to the concrete situation of the struggle at any given moment (p. 27). The successful struggle for the dictatorship of the proletariat presupposes the existence in every country of a compact Communist Party, hardened in the struggle, disciplined, centralized and closely linked up with the masses. The Party is a revolutionary organization, with these fundamental strategic aims: It must extend its influence over the majority of the members of its own class, including working women and youth. It must secure predominant influence in the broad mass proletarian organizations, e. g., trade unions, factory councils, cooperatives, sport and cultural organizations. It is particularly important to win over the trade unions (p. 62). Leadership of wide sections of the toiling masses should be acquired by the proletariat and the membership of the middle classes of the peasantry must be secured (p. 63). It must carry on propaganda against all forms of "chauvinism" and against "imperialist" maltreatment of enslaved peoples and races (e. g., Negroes, "yellow labor" and anti-Semitism) (p. 64).

In determining its line of tactics, each National Communist Party must take into account the concrete internal and external situation, the correlation of class forces, the degree of stability and strength of the bourgeoisie and fit slogans and methods of struggle to the circumstances of the particular country. Demands and slogans must be lent to the revolutionary aim of capturing power and overthrowing bourgeois capitalist society. The party is to utilize the daily needs and struggles of the working class as a starting point from which to lead the working class to the revolutionary struggle for power (pp. 65–66). When the ruling class is disorganized, propaganda in favor of increasingly transitional slogans and mass action should be used. Strikes and armed demonstrations should be used, as well as intensified revolutionary work in the army and the navy (p. 66). When conditions are right, it is dangerous to fail to start rebellion. When the revolutionary tide is at ebb, partial slogans and demands should be made which correspond with the everyday needs of the workers. United front tactics should then be used (p. 67). In this period of marking time, demands and slogans should be made in such spheres as labor, local politics, and world politics, e. g., the attitude toward the U. S. S. R., the struggle against "imperialism" and the war danger, and systematic preparation for the fight against imperial war (p. 68). Also systematic work must be carried on among the proletarian and peasant youth; and, in imperialist countries, Communist Parties must impair the war effort against colonies (p. 69). The further consolidation of the Land of the Soviets, the mighty growth of the international authority of the Communist Party of the Soviet Union, the growth of the Communist International are all accelerating the development of the world Socialist revolution. The capitalist world is entering a period of sharp clashes. The united front of the working class must be established. The victory of the revolution has to be prepared for by a strong proletarian revolutionary party (pp. 81–82). When the country in which they live engages in an imperialist war in order to utilize the economic and political crisis, it is the duty of Communists to turn the war into a civil war for the overthrow of capitalism (pp. 94–95). Should an imperialist war break out, the interest of the workers of all countries demands that the defense of the Soviet Union be considered paramount (pp. 95–96).

From this résumé, it becomes apparent that the rules for making the doctrine effective have within them instructions for short-range and long-range action and that they are intended for more than local application. In addition, there has been provided an elasticity which makes them applicable under an endless variety of circumstances. Considerable significance, therefore, may attach to their use by allied groups under given circumstances at a given time. Therefore, the manner and extent of their application by the CPUSA is a factor to be considered in determining whether the United States Party is a part of a worldwide movement and whether it is dominated and controlled by the Soviet Union.

Another factor of Marxism-Leninism which pervades the Classics with the same insistence as its international revolutionary character is the dominant position of the Soviet Union, that is to say, the Communist Party of the Soviet Union, in the world Communist movement. At an earlier date, i. e., after the successful revolution in Russia, Stalin points out (*Problems of Leninism*, Pet. Ex. 138, p. 64) that for an ultimate victory of socialism in the world, the protection of that Russian victory by workers of all countries is necessary. In *Foundations of Leninism* (Pet. Ex. 121 at p. 19) he quotes Lenin:

> "History has now confronted us [i. e., the Russian Marxists–J. S.] with an immediate task which is the *most revolutionary* of all the *immediate* tasks that confront the proletariat of any country. The fulfillment of this task, the destruction of the most powerful bulwark, not only of European, but also of Asiatic reaction, would make the Russian proletariat the vanguard of the international revolutionary proletariat."
>
> In other words, the centre of the revolutionary movement was bound to shift to Russia.
>
> As we know, the course of the revolution in Russia has more than vindicated Lenin's prediction.
>
> Is it surprising, after all this, that a country which has accomplished such a revolution and possesses such a proletariat should have been the birthplace of the theory and tactics of the proletarian revolution?
>
> Is it surprising that Lenin, the leader of this proletariat, became the creator of this theory and tactics and the leader of the international proletariat?

In *The Theory of the Proletarian Revolution* (Pet. Ex. 422, p. 87) Stalin states it is necessary to support Russia in order to make it "the basis of the further unfolding of the world revolution, into the lever for the further disintegration of imperialism." He emphasizes this (p. 88) by asserting that "the victorious proletariat of Russia" should "after it has expropriated the capitalists and organized its socialist production at home," rise against the capitalist world, attract to itself the oppressed classes of other countries, raise insurrection in them against the capitalists, and even use military force against the exploiting classes and their states.

Dimitroff in *The United Front* (Pet. Ex. 149, at pp. 279 and 280) restates the importance of the U. S. S. R. to the international proletariat. And in the *Theses and Statutes of the Third (Communist) International* (Pet. Ex. 8, p. 67) it will be seen that the Russian Soviet Republic is "grouping around itself the Soviet movements of the vanguard of the workers in all countries."

What is being advocated is an extension of Lenin's hard-core principle to a wider area. Whereas in the Soviet Union the party is that core, in the world scheme the U. S. S. R. becomes the center. As such, it must be protected, and from it will emanate leadership which will direct and hold together the party in other countries. This thought is thus expressed in *Strategy and Tactics of the Proletarian Revolution* (Pet. Ex. 343, p. 81):

> In the struggle to defend against fascism the bourgeois-democratic liberties and the gains of the toilers, in the struggle to overthrow fascist dictatorship, the revolutionary proletariat prepares its forces, strengthens its fighting contacts with its allies and directs the struggle toward the goal of achieving real democracy of the toilers—Soviet power.
>
> The further consolidation of the Land of the Soviets, the rallying of the world proletariat around it, and the mighty growth of the international authority of the Communist Party of the Soviet Union, the turn toward revolutionary class struggle which has set in among the Social-Democratic workers and the workers organized in the reformist trade unions, the increasing mass resistance to fascism and the growth of the revolutionary movement in the colonies, the decline of the Second International and the growth of the Communist International, *are all accelerating and will continue to accelerate the development of the world Socialist revolution.*

At pages 95 and 96, it is declared that if an imperialist war breaks out, the defense of the Soviet Union must be considered paramount.

It will be seen from the above that allegiance to the Soviet Union assumes considerable proportions in the Classics of Marxism-Leninism. First, after the 1917 Revolution, it must be protected from outside intervention. Thereafter, its role as a leader of a successful world revolution is stressed. At all times, loyalty and assistance are due it in any conflict which may arise between it and any "imperialist" power.

We conclude from the Classics that the Soviet Union has a specific place in Marxism-Leninism; it represents the first victory of the proletariat; therefore, it is the center of the world proletariat and it is entitled to the allegiance of the proletariat everywhere. The authority of its Communist Party is international. The corollary of this is that a Communist Party which adheres to Marxism-Leninism is, of necessity, under the domination and control of the Soviet Union.

It is also evident from the Classics that as the Soviet Union is to be considered the leader of the world proletariat in the class war, so the United States takes on a special importance as the mightiest of the "imperialist" powers, the arch enemy of the proletariat. Lenin, in *Imperialism* (Pet. Ex. 140, p. 125) states: "In the United States, economic development in the last decades has been even more rapid than in Germany, and for this very reason the parasitic character of modern American capitalism has stood out with particular prominence." Stalin points out (*Foundations of Leninism*, Pet. Ex. 121, last par., p. 55 and 1st two pars., p. 56) that conditions in the United States had changed since the days of Marx and that this country could no longer be considered one in which there could be a "peaceful evolution of bourgeois democracy into a proletarian democracy." The United States has become definitely "imperialistic" and "the law of violent proletarian revolution" becomes applicable to it. This quotation from Lenin in this connection (p. 56) reveals how strongly the Soviet Union felt that action was required in this country:

> Today, said Lenin, "in 1917, in the epoch of the first great imperialist war, this qualification made by Marx is no longer valid. Both England and America, the greatest and the last representatives—in the whole world—of Anglo-Saxon 'liberty,' in the sense that militarism and bureaucracy were absent, have slid down entirely into the all-European, filthy, bloody morass of military-bureaucratic institutions to which everything is subordinated and which trample everything underfoot. Today, both in England and in America, the 'preliminary condition for every real people's revolution' is the smashing, the *destruction* of the 'ready-

made state machine' (brought in those countries, between 1914 and 1917, to general 'European imperialist perfection'" (Selected Works, Vol. VII, p. 37).

A Resolution on the American Question (Pet. Ex. 43) issued by the Communist International in 1929, begins with the statement that: "The United States of America has developed into the mightiest imperialist power * * *. The task of the Workers (Communist) Party is to form a broad united front and to intensify the struggle against American imperialism." (See also Tr. 619; 667–68.) Specific attention is directed to this aspect of the approach to be used in applying Marxism-Leninism to the United States. In Dimitroff's *The United Front* (Pet. Ex. 149, pp. 41–43) an anti-Fascist party is suggested. We find, at page 43, some revealing language. "Our comrades in the United States acted rightly in taking the initiative for the creation of such a party. * * * We should develop the most widespread movement for the creation of such a party, and take the lead in it." The "we" who are planning parties in the United States have "comrades" there who have already started work in that direction. The *Theses and Statutes of the Third (Communist) International* (Pet. Ex. 8, p. 28) has this to say:

> The class struggle in almost every country of Europe and America is entering the phase of civil war. Under such conditions the Communists can have no confidence in bourgeois laws. They should create everywhere a parallel illegal apparatus which at the decisive moment should do its duty by the party, and in every way possible assist the revolution. In every country where, in consequence of martial law or of other exceptional laws, the Communists are unable to carry on their work lawfully, a combination of lawful and unlawful work is absolutely necessary.

In *Strategy and Tactics of the Proletarian Revolution* it is stated (p. 17):

> Bolshevism has helped in a practical way to develop the proletarian revolution in Europe and America more powerfully than any party in any other country has ever succeeded in doing.

From these expressions, it must be concluded that the Classics disclose a positive attitude on the subject of the United States which makes it a prime objective for the activities of the Soviet Union and for any of its subsidiaries.

In order fully to understand what Marxism-Leninism is, the significance of certain of its programs and policies must be considered. Certainly in the Classics themselves, these programs and policies are all aimed at one objective: the forwarding of the world revolution. That such a revolution was not an evolutionary one in the normal use of this term appears from Stalin's statement in the History of the Communist Party of the Soviet Union (Pet. Ex. 330, p. 168) which he presents as one of Lenin's teachings; without a revolution of the working class capitalism cannot be overthrown; even though capitalism is moribund, it must be given the coup de grace:

> Lenin showed that under imperialism the uneveness of development and the contradictions of capitalism have grown particularly acute, that the struggle for markets and fields for the export of capital, the struggle for colonies, for sources of raw material, makes periodical imperialist wars for the redivision of the world inevitable.

There is nothing to indicate that "The elements of a war of liberation from imperialism" is used in any figurative sense. The context in which this appears leads to a contrary conclusion.

Consequently, while some of the policies and programs may have a dual character, one of the elements of each of them is always the furtherance of the *war* against capitalism and of speeding the ultimate victory of the proletariat over the "imperialists." This we find to be so in work with and in labor unions, with youth and with minorities; it is the real purpose in resorting to secrecy, entering into united fronts, and in resorting to slogans; it is the motivating force in training Communists, requiring reports from them and insisting that they do not deviate from the strict Party line.

As appears from Lenin's *What Is To Be Done?* (Pet. Ex. 417, pp. 105, *et seq.*) the Marxist should not be interested in labor unions, as such, but rather from the use which can be made of such organizations as part of the revolutionary scheme. A union can be used as a front for political, agitational, and revolutionary organizations. As Stalin points out in *Problems of Leninism* (Pet. Ex. 138, p. 30), they are the all-embracing organizations of the working class. "They constitute a school of Communism." "They unite the masses of the workers with the vanguard." In effect, what Lenin and Stalin are saying is: Here are ready-made groups of substantial size, made up of members of the class which according to the labor theory of value are the exploited, and consequently should belong in the revolution; and infiltration of such groups by a hard core of diligent workers for the Party offers a ready field for propaganda and proselytizing. As it is stated in the *Theses and Statutes of the Third (Communist) International* (Pet. Ex. 8, p. 29):

> Every party desirous of belonging to the Communist International should be bound to carry on systematic and persistent Communist work in labor unions, cooperatives, and other labor organizations of the masses.

The same volume discusses the trade-union movement (p. 53, *et seq.*), and (at p. 57) it states:

> Consequently, the Communists must strive to create as far as possible complete unity between the trade unions and the Communist Party, and to subordinate the unions to the practical leadership of the Party, as the advance guard of the workers' revolutions.

Strategy and Tactics of the Proletarian Revolution (Pet. Ex. 343, pp. 67–68) states that one of the principal tasks of a Communist is the joining of a union to win the leadership in the workers' struggle.

We conclude that the Classics direct Communists to engage in activity in trade unions in order to utilize such unions for the purposes of the Party and to further the world revolution.

The Classics disclose that youth programs are considered to be important. Concerning the Young Communist League, Stalin says in *Problems of Leninism* (Pet. Ex. 138, p. 31):

> Its task is to help the Party educate the younger generation in the spirit of socialism. It provides young reserves for all the other mass organizations of the proletariat in all branches of administration.

Lenin's attitude on the necessity of particular emphasis on youth may be gleaned in part from two quotations in an article in *Political Affairs* (Pet. Ex. 477, pp. 86 and 88):

> Is it not natural for young people to predominate in our party, the party of revolution? We are the party of the future and the future belongs to the youth. We are a party of innovators and innovators are always followed most eagerly by the youth. We are a party of self-sacrificing struggle against the rotten old system, and the youth are always the first in self-sacrificing struggles.

* * * * * * *

> The youth will decide the issue of the whole struggle, the student youth, and still more the working-class youth. * * * Do not fear their lack of training, do not tremble at their inexperience and lack of development. If you are unable to organize and stimulate them to action, they will turn to the Mensheviks and Gapons, and this inexperience of theirs will cause five times more damage. * * * Only you must unfailingly organize, organize and organize hundreds of circles. * * * Either you create new, young, fresh, energetic, militant organizations everywhere for revolutionary Social-Democratic work of all sorts and kinds, and among all strata, or you will perish, enveloped in the glory of "committee" bureaucrats.

Dimitroff offers another reason for enlisting the efforts of youth (*The United Front*, Pet. Ex. 149, p. 150):

> The whole antifascist youth is interested in uniting and organizing its forces. Therefore you, comrades, must find such ways, forms and methods of work as will assure the formation, in the capitalist countries, of a new type of mass youth organizations, to which no vital interest of the working youth will be alien, organizations, which, without copying the Party, will fight for all the interests of the youth and will bring up the youth in the spirit of the class struggle and proletarian internationalism, in the spirit of Marxism-Leninism.

There is no question that the enrolling and training of youth is deemed to have value in the world revolutionary movement. From the *Theses and Statutes of the Third (Communist) International* (Pet. Ex. 8, p. 8), it appears that the International League of Communist Youth was given a representative with a right to vote on the Executive Committee of the Communist International and the Communist International had the right to a similar representative on the Executive Committee of the League. And in the *Strategy and Tactics of the Proletarian Revolution* (Pet. Ex. 343, p. 69), it is stated that "Systematic work must also be carried on among the proletarian and peasant *youth*. * * *" It will be seen from this that a youth program is considered an essential part of the activities of the Party in all countries and is required by the dictates of Marxism-Leninism.

We conclude that the Classics direct Communists to engage in youth programs for the purposes of the Party and to provide reserves for the world revolution.

In *Foundations of Leninism* (Pet. Ex. 121, p. 89), Stalin states that Lenin developed the tactics of Marx and Engels and combined them into a system of rules and guiding principles for the leadership of the class struggle.

Among these, as noted above, is the use of slogans and their propaganda value (*Strategy and Tactics of the Proletarian Revolution*, Pet. Ex. 343, pp. 66–67); *Foundations of Leninism* (Pet. Ex. 121, p. 92). "Imperialism" is one of these; and as a corollary thereto, "anti-imperialism" and "just and unjust wars." "Peace" was another of the slogans which eventually came into use. These slogans have been used by the Soviet Union, by the Communist Parties throughout the world, and by the CPUSA. Their common use, contemporaneously and currently by the Soviet Union and the CPUSA, is significant. Their use also is recommended for the purpose of forwarding the world revolution (*Strategy and Tactics, supra*).

The same can be said to apply to united-front tactics. Throughout the Classics, the value of such tactics is stressed. The extent of such collaboration furnishes a considerable part of the texts of the writings of Lenin and Stalin.. Dimitroff's *The United Front* (Pet. Ex. 149) devotes itself to that tactical principle. Again, it should be noted that united fronts, at the organizational, political and national levels, are to be used but not in any way that might bolster capitalism. At all times they are to be used to protect the Party in Russia, to increase the number of its adherents and always to promote the world revolution. Their simultaneous adoptions by the Parties in various forms in various countries also cannot be ignored. This stands out particularly at the time of the Soviet Union's changes of alliances before and during World War II.

We conclude that the use of slogans as shibboleths for the purposes of Communist Parties, including Respondent, in order to advance the world revolution, is directed by the Classics.

Secrecy and its uses also finds a place of prominence in the Classics. (See Pet. Ex. 343, pp. 22–26; and Pet. Ex. 417.) Respondent contends that its practice by the CPUSA was not for the purpose of concealing foreign direction, domination and control or of expediting or promoting its objectives, but rather to protect its members from local hysteria or from being harassed and penalized economically for the holding of unpopular views. In *What Is To Be Done?* which Respondent urged its members to read as recently as 1951, Lenin shows how Party members can use trade unions as a front, keeping their identity as revolutionists secret. Stalin, in his speeches on the CPUSA (Pet. Ex. 109), published by the Central Committee of the CPUSA, in pamphlet form, speaks of the danger of exposing the "conspirative" nature of the Communist Party. The manner of use and timing, and the nature and degree of these practices negatives the contention of Respondent's witnesses. Certainly, as used in the Classics, secrecy was not always to be used for legal purposes (*What Is To Done?* Pet. Ex. 417, p. 107).

We conclude that the secrecy directed by the Classics is, among other things, for the purpose of concealing the conspiratorial nature of Communist Parties and for the advancement of the world revolution.

Operationally, it will be seen that the Classics propose a strong central organization, on an international as well as on a national scale. As Trachtenberg says in the introduction to *What Is To Be Done?* (Pet. Ex. 417):

> Only a centralized party, working according to a carefully prepared plan, with each member assigned a specific task for which he is to be held accountable, could successfully lead the Russian working class in the struggle against capitalist exploitation and tsarist rule.

Lenin points out that with this, it is necessary for the organization to be composed of professional revolutionists, trained men, that no movement can be durable without a stable organization of leaders to maintain its continuity. The training of cadres is thus basic in the movement (p. 116); and in view of the centralized nature of the organization, leaders and cadres once trained, can be depended upon to keep in touch with the center of the movement and keep it informed of all that transpired by reports.

We conclude that the training of leaders and cadres and the reporting by such leaders to the controlling body of the movement is directed by the Classics.

The position taken by the Classics on the questions of Minorities and Colonials is also basic to the whole movement advocated by Marx and Engels, Lenin and Stalin, particularly the latter two. Any contributions in those directions by their collaborators is no more than elaboration and amplification of the works of these four. They are implicit in Lenin's definition of imperialism. It will be seen from these and other portions of the Classics that the founders of the movement were not concerned with purely local conditions in Russia. In *Foundations of Leninism*, cited above, it becomes clear (p. 79) that the national problem is part of the general problem of the proletarian revolution to be used for that purpose only to the extent that it is of advantage to such revolution. This also appears from *Strategy and Tactics* (*supra*, pp. 63-65).

We conclude that the Classics contemplate work among Colonials and Minorities to advance the world revolution.

One of the requirements of Marxism-Leninism is conformity Discipline is considered vital. Deviation from doctrine and practice is not permissible except in local problems in the area of minor tactics. That nondeviation is abjured is patent from *Foundations of Leninism* (Pet. Ex. 121, pp. 119-21).

> The achievement and maintenance of the dictatorship of the proletariat is impossible without a party which is strong by reason of its solidarity and iron discipline. But iron discipline in the party is inconceivable without unity of will, without complete and absolute unity of action on the part of all members of the Party.

As stated by Stalin (p. 120), the existence of factions is incompatible either with the party's unity or its iron discipline. He quotes Lenin:

> "In the present epoch of acute civil war," says Lenin, "a Communist Party will be able to perform its duty only if it is organised in the most centralised manner, only if iron discipline bordering on military discipline prevails in it, and if its Party centre is a powerful and authoritative organ, wielding wide powers and enjoying the universal confidence of the members of the Party" (*Selected Works*, Vol. X, p. 204).

The penalty for nonconformity is expulsion from the Party (p. 121). (See also *Strategy and Tactics*, Pet. Ex. 343, p. 62.)

We conclude that the Classics require conformity on the part of all organizations and members in the movement and that no deviation from the party line is permitted on penalty of expulsion therefrom.

From the Classics themselves, Marxism-Leninism constitutes an uncodified system of political philosophy and practice which declares that it is inevitable that a classless state of society will be reached through an intermediate stage in which there will be socialist states controlled by dictatorships of the proletariat under the leadership of the Soviet Union. For the attainment of these dictatorships, a hard core of revolutionary zealots is required who operate under exceedingly flexible rules on an international basis. The vehicle for their operation is a so-called political party, the Communist Party, which is provided with strategic and tactical directives. The first objective is to bring to an end capitalistic (bourgeoisie) society. For this purpose, special attention must be paid to labor unions, youth, Minorities and Colonies. Temporary alliances, known as fronts, may be entered into, but always with the ultimate revolutionary goals in view. Capitalism is termed "imperialism." Slogans should be employed in aid of the Party's objectives. "Anti-imperialism" and "peace" are two of the slogans which may be effective. The leader of the movement, which is integrated on an international scale, must be the Soviet Union, which must be protected as the first country in which the dictatorship of the proletariat has been attained. All allegiance is due the Soviet Union as the leader of the vanguard of the proletariat. Force and violence shall be used to reach objectives if persuasion and guile are ineffective. Where lawful methods are effective, these should be used; where not, unlawful methods should be resorted to. Secrecy, where necessary, should also be used. Discipline must be rigid, though a certain amount of latitude is permissible in local tactical matters, under an organizational structure designated as democratic centralism. This is supposed to be a two-way process but orders emanating from the top, which is the Soviet Union, may not be ignored. Operations are to be on a world-wide basis, including in its sphere, *inter alia*, the United States. Taken on its face, Marxism-Leninism, as it appears in the Classics, is a system under which there is to be a world-wide revolution for the establishment of the dictatorship of the proletariat under the domination and control of the Soviet Union. This revolution is to take place in the various countries as conditions permit. An accepted Marxist-Leninist party is one which is a part of this system.

Subjecting the content of the Classics to further scrutiny in the light of the testimony of the witnesses for both sides, we are better able to reach a determination of the real meaning of Marxism-Leninism. All of the witnesses (except Petitioner's witnesses, Dr. Mosely, Logofet, and Carrington)•testified to some knowledge of the Classics and of Marxism-Leninism. They studied it, were taught it, or were subject to it in practice. Admittedly, the Classics have been in use by the members of the CPUSA continuously to the date of the hearings in this proceeding.

Respondent's chief witness concerning Marxism-Leninism was Herbert Aptheker, a teacher at the Jefferson School of Social Science, a school with a general Marxism-Leninism orientation, whom it offers as an expert and who says Marxism-Leninism principles are fundamental to the CPUSA.

Summarized, his testimony is to the effect that Marxism-Leninism is in its inception and thereafter to be found in the writings of Marx, Engels, Lenin, Stalin and others; that its heart is dialectic materialism; that its aim is the end of capitalism and the attainment of a socialist state which will eventually dissolve into Communism; that it is a science, usable in all countries as such and that in this sense it applies to the United States which is an "imperialist" nation; that it only contemplates revolution in the sense of an evolutionary change to rule by the proletariat, and that a dictatorship of the proletariat means rule by that class when that class represents a majority; that its international aspects are only fraternal and represent a similarity of interests of the working class of all countries; that the Classics are used for illumination and for historical background by Communists; that Marxism-Leninism provides a guide for action only as a science would be a guide for a scientific experiment; that it contains no directives and the CPUSA is not controlled or dominated by the Soviet Union thereby; that the name Marxism-Leninism is not used to denote any hidden meaning for the direction of initiates in the Communist movement.

What is not clear from his testimony is the actual content of Marxism-Leninism and the extent of its applicability to the CPUSA. It is not possible to determine therefrom what portion of the Classics have asserted current validity and how much of Marxism-Leninism is acknowledged to be applicable in any particular place. Moreover, the credibility of his testimony as a whole is impaired by the inverted outlook it discloses. An example of this appears from his explanation of Lenin's use of Aesopian language (*Imperialism,* Pet. Ex. 140, p. 7) which Lenin said was used to avoid Czarist censorship when the pamphlet was originally written. Aptheker says, as a Marxist-Leninist scholar, that Marxists understood Lenin's use of Aesopian language not in terms of deception; Lenin was not trying to fool anybody, he was trying to illuminate ideas by the use of allegory. This is patently not so, as far as the censors were concerned. It did apply to the initiates of his own party. Again, his insistence that Douglas was right in lying to a court because that court represented what the witness characterized as tyrannical oppressors is indicative of a viewpoint that might permit his conscience to misstate facts if they did not favor his side. His explanation that the American revolution was not in a real sense a revolution because the colonists were oppressed by England casts some doubt on his definitions of revolution and the dictatorship of the proletariat. Moreover, these definitions are not in accord with those which appear in the Classics. The evasiveness of Aptheker's testimony, and the distorted viewpoint, indicated above, renders extremely questionable what he says concerning Marxism-Leninism and the Classics and the extent to which they apply to the CPUSA.

Respondent's witness Gates adds little to the meaning to be given to Marxism-Leninism. He says it is a social science. He says that the CPUSA is an independent and completely autonomous organization. Concerning the Classics, he states that while *Problems of Leninism* has been used for teaching in the CPUSA schools, it is taught as historical writing and not as a blueprint or an order for Communists to follow all over the world and that it is not the program of the CPUSA.

Witness Flynn states that the Classics have been and are used in the Party schools as of the date of her testimony (June 26, 1952) but as reference books for history, and for the principles of Marxism-Leninism.

The witnesses for Petitioner,[27] all of whom, as Party members, had some instruction in the meaning of Marxism-Leninism and some of whom were officials, writers or teachers for the Party, agree with Respondent's witnesses only to the extent that one of the component parts of Marxism-Leninism is the philosophic-sociological concept that capitalism must and will inevitably be superseded by a dictatorship of the proletariat which will eventually be succeeded by a stateless class of society known as Communism. This original Marxist doctrine, they state, has superimposed on it the revisions and the supplementations of Lenin, Stalin, Dimitrov, and others which provide it with plans, policies, programs, and directives to bring about the end of the present capitalistic era, designated as "imperialism," on a worldwide scale and by any means, including force and violence. The effort to bring about the dictatorship of the proletariat is an integrated effort of the working classes in all countries and the leadership thereof is in the Soviet Union, where it has succeeded.

Witness Lautner states: "The leader of the world Communist movement is the General Secretary of the Communist Party of the

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[27] Whose testimony we accept in this connection.

Soviet Union, Joseph Stalin [28] * * *. And the Party he represents." He says adherence to Marxism-Leninism has implicit in it complete subservience on the part of all Communist Party organizations, whether in the United States or elsewhere, and on the part of the individual members in all strategic and most tactical matters, to the rulers of the Soviet Union. The CPUSA adheres to Marxism-Leninism and consequently its Constitution is no more than a bylaw to Marxism-Leninism and has no validity except insofar as it conforms thereto. Petitioner's witness Budenz, a former Party member and Editor of the *Daily Worker* testified when asked the meaning of the first sentence of the Party's 1945 Constitution (which sentence is identical with the first sentence of the 1948 constitution):

> Marxism-Leninism is a well-known and historical term in the Communist documents and discussions. It is that interpretation of so-called scientific socialism based on the writings of Marx, Engels, Lenin and Stalin, and which holds as the goal of the Communist Parties of the world the necessity for the violent shattering of the bourgeoise states in order to set up in their place a completely new state machinery, the dictatorship of the proletariat. This shall be achieved under Marxism-Leninism through the Party of the new type, the Bolshevik Party under Bolshevik discipline, which rejects the concept of class peace (Tr. 11831).

He goes on to state that the Communists in the United States at that time (1945) regarded the American government as a bourgeois state, and that further statements in the Preamble concerning the Communist Party's defense of the United States Constitution were not reconcilable with the sentence above quoted. He goes on to say:

> The statements cannot be reconciled. The dedication of Marxism-Leninism is the dedication historically and categorically to the violent shattering of the bourgeoise state as the necessary step toward progress, and this other language in the light of that, since Marxism-Leninism principles prevail, is merely a window-dressing for legal protective purpose. It is part of the Aesopian language recommended by Lenin [29] (Tr. 11832).

He states further that the classics were used in his work up to the time he left the party (October 1945). Speaking of his use of Aesopian language, he states:

> I referred to Marxism-Leninism. I referred to Stalin as the leader, teacher, and guide, things of that sort, which was Aesopian to the extent that it presented Stalin as the leader, teacher, and guide, but didn't explain that he completely controlled the Communist movement, although I could have done it because Bittelman had stated in Milestones that Stalin was the leader, the Communist Party of the Soviet Union was the leader (Tr. 12263).

He says, concerning Communist activity in the trade-union movement: "No Communist is permitted to deviate from the line set down for the Communists of the world * * *" (Tr. 12267). Petitioner's witness, Lautner, former Party member, leader, and teacher, tells what he was taught concerning the meaning of Marxism-Leninism, and at Tr. 9514, states:

> Marxism-Leninism taught us that monopoly capitalism or imperialism was a worldwide phenomenon, therefore there is need of a worldwide organization, an organization that has ties to successfully cope with this problem and eventually bring about the downfall of monopoly capitalism and imperialism.

Further, that the *Program of the Communist International* was used by him in classes in 1947, 1948, and 1949 "because the program of the

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[28] The record discloses no basis for any inference that the death of Stalin will terminate, lessen, or otherwise affect the domination of Respondent by the U. S. S. R.

[29] For a definition of "Aesopian," see *Imperialism, the Highest Stage of Capitalism* (Pet. Ex. 140, p. 7, n. 1).

Communist International lays down the strategic aims of the Communist Parties."

Another witness for Petitioner, Meyer, said he taught Marxism-Leninism in Respondent's schools and that it was a body of doctrine which is first a philosophy of history, secondly, a guide to the Communist Party on the basis of that philosophy, in carrying out its historical role which is the overthrow of the capitalist system and its replacement with a dictatorship of the proletariat to establish socialism which is to lead to the stage of Communism. Petitioner's witness, Philbrick, states he was taught this, and that the lessons of Marxism-Leninism were to be applied to present-day affairs as a guide to action.

The witnesses for the Petitioner aver that the Classics represent a body of living doctrine and directives by which the Communists throughout the world are guided and governed. Witness Meyer testified that the *History of the Communist Party of the Soviet Union (Bolsheviks)* was used as a living guide to revolutionary action based on the experience of the Bolsheviks and the writings of Lenin and Stalin. He points to a speech by Trachtenberg made in Washington, D. C., in 1949, which declares that the leaders must know the Classics and be able to apply the basic principles to any current situation at any time. Witness Matusow says, by way of example of current applicability of the Classics that the *Communist Manifesto*, though 100 years old, "is just as relevant today as it was in 1848 when it was written." He goes on to say that this was so of other pieces of Marxist literature, pointing out particularly *The Young Generation* by Lenin, written in 1905 and used extensively in the Labor Youth League in 1949. The Classics were in use by the CPUSA, to his knowledge, as of December 1950 (tr. 11032–33). Witness Evans says the Classics were used in the Marxist-Leninist Institute from April 1949 to June 1950. Witness Budenz testified that Trachtenberg, head of the cultural commission in charge of the direction of Communist cultural activities and in charge of the Party's general publishing field, stated he was not permitted to issue any Marxist literature, especially the Classics, without the authorization of the Marx Institute in Moscow. The *Daily Worker* used the Classics in its work. He states that Dennis recommended:

> A thorough return throughout the Party to the Marxist-Leninist Classics, particularly to the writings of Stalin, the History of the Communist Party of the Soviet Union, Foundations of Leninism, and Dimitrov's Report to the Seventh Congress, which dealt with the true nature of how to conduct the United Front while forwarding the Communist revolutionary aims (tr. 11812).

While writing for the *Daily Worker* (from 1935 to 1945), Budenz did not directly advocate the overthrow of the government by force and violence. This was done by reference to Marxism-Leninism and the Classics. Witness Lautner testified that on the basis of the Classics, at the National Training School in 1941, he was taught how Lenin applied Marxism to the epoch of imperialism and established a party of a new type; how Stalin applied this to the party as a force, the leading political party of the working class; that Marxism-Leninism was a guide to action in the party in the United States; that the aim of the party was to gain political and economic power in this country and that this was to be accomplished, on the basis of Marxism-Leninism, by a worldwide organization.

From the Classics themselves, it is clear that force and violence was deemed necessary for the overthrow of the government of the Czars by the Russians. It is also clear that they call for international action by the working class in other countries so that Russia, when freed from the Czars would not be left standing in a hostile bourgeois world alone and friendless. The Classics definitely call for action on an international scale. It is the contention of the Respondent that the call to aid the Soviet Union was only applicable when the Soviet Union was weak and struggling; now that it is strong, such international action on her behalf is not necessary. Is this so? It is clear that, in the period of the Communist International, the Classics were admittedly meant to be applied as the basic law of all Communist Parties, in every country where such parties existed. Under this basic law, the Soviet Union was the leader of a world organization of all such Communist Parties, in a worldwide movement to emancipate the working class from capitalist rule, so the directives, programs, and policies by which this was to be accomplished were clearly set forth in such Classics. Deviation therefrom was considered heresy and not to be tolerated.

While Marxism-Leninism is allegedly dynamic, there is no internal evidence in the portion of this amorphous amalgam which has been reduced to writing, and has become known as the Classics, which indicates a change in its character to make it inapplicable to the CPUSA. On the contrary, Petitioner's witnesses have established that the Classics are in current use and are applicable to the Party. Dr. Aptheker admits that no CPUSA member has altered the fundamental precepts of Marxism-Leninism.

We find the testimony of the witnesses for Petitioner, concerning Marxism-Leninism credible and in accord with the meaning thereof to be obtained from a reading of the record as a whole.

We find that the testimony of the witnesses for the Respondent concerning Marxism-Leninism is in and of itself, and in the context of the record as a whole, unrealistic, apologistic rather than explanatory, and not credible, except as to the origins of Marxism-Leninism and, generally speaking, that its objectives are the attainment of a socialist state under a dictatorship of the proletariat and an eventual classless state of society known as Communism.

How Marxism-Leninism is understood, used, and followed, by Respondent has been established in the discussion of the testimony of the witnesses, above. In addition thereto, consideration has been given to the numerous exhibits which shed light on the above question. From them it further appears that Respondent, its leaders, and its members taught, studied, discussed, used, and applied the Classics in the manner intended by the authors of these Classics and to an extent incompatible with any claim that the Classics are not binding upon them in all fundamentals.

One of the most important, if not the most important, of the Classics in the period under examination in this proceeding, is the *History of the Communist Party of the Soviet Union* (*Bolsheviks*) (Pet.

Ex. 330).[30] A resolution, adopted August 10, 1939, signed by the Communist Parties of France, Great Britain, the United States, Germany, and Italy (Pet. Ex. 296), states, *inter alia* (p. 73):

> The appearance of the *History of the Communist Party of the Soviet Union (Bolsheviks)* is one of the greatest events in the life of the Communist world movement and of the international labor movement, in the struggle of the working people of all countries for emancipation. Written with the immediate participation of Comrade Stalin and authorized by the Central Committee of the C. P. S. U. (B.), the *History* occupies an extraordinary place among the classic works of Marxism-Leninism. The *History* is intended to play—and will undoubtedly play—a very important role in the successful mastering of Bolshevism by the Communists of the capitalist countries, in the consolidation of the Sections of the Communist International, and in raising their ideological and political level.

A reading of the exhibit as a whole is enlightening concerning the use of the Classics advocated by Respondent and the position they are given in the propagation of Marxism-Leninism. At page 83 it states:

> (g) The work of the publishing houses is to be so organized that, besides the contemporary agitational literature, they not only publish the works of Marx, Engels, Lenin, and Stalin, but also strive to achieve for them the very widest distribution.

Not only are the Classics given wide distribution but they are also integral in the teachings and activities of the Respondent.[31]

Consequently, we conclude that the classics are one of the chief means by which the CPSU directs, dominates, and controls the CPUSA.

From a review of the classics and of the testimony, we make the following findings concerning Marxism-Leninism as it is understood, used, and followed by respondent:

Marxism-Leninism is a composite of the doctrines, dogmas, and guides to action of Marx and Engels, as supplemented and revised by Lenin, Stalin, and others, which advocates a worldwide revolutionary movement. The objective of the movement is the destruction of capitalism (which it designates as "imperialism"). It asserts as its ultimate goal a stateless class of society which it designates as "communism." The first step toward this end is the attainment of a socialist state under a dictatorship of the proletariat. "Proletariat" generally is synonymous with "working class." But "a dictatorship of the proletariat" connotes the rule by a minority in the name of the working class. Such a dictatorship should, theoretically, come about by a nonviolent revolution which would evolve from natural economic change. Actually, Marxism-Leninism requires that such revolution be hastened by action. This action must be taken by a dedicated group of revolutionaries, banded together as a so-called political party: the Communist Party. Under the leadership of the Soviet Union, this Party shall bring about, by force and violence if necessary, dictatorship of the proletariat in every country of the world whenever circumstances shall permit. Marxism-Leninism includes within itself the plans and procedures to accomplish this end. Adherence to its principles involves acceptance of its doctrines, tenets, and obligations; and membership in the world revolutionary movement mentioned above. Marxism-Leninism contemplates the Communist Party of the United States as part of the world Communist movement. The name "Marxism-Leninism" is frequently applied in an esoteric sense to conceal from the uninitiated the full implications of such adherence and membership.

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[30] Witness Meyer's testimony on this point (Tr. 5554) is sufficiently significant to warrant quotation here: "The WITNESS. The fundamental textbooks used before the History of the Communist Party of the Soviet Union appeared—that must have appeared late in 1939, but I can't date it exactly. I can date it by epoch. It appeared during that general 1939 to 1940 epoch, but I think it appeared in late 1939 or it might have been early 1940. At any rate before that appeared the major textbooks used, at the core of the whole problem—there were others used but the essential ones always were the Communist Manifesto of Marx and Foundations of Leninism, by Stalin. The whole course of Marxism-Leninism was organized around these two. Then, so to speak, radiating from them were special problems: Lenin's State and Revolution, Lenin's Imperialism, Stalin's Problems of Leninism. I should say these were the central ones, except at one point also, I think in the earlier part of this period primarily, there were three rather widely used textbooks of excerpts from the writings of Marx, Engels, Lenin, and Stalin. One was called Strategy and Tactics, another the Theory of the Proletarian Revolution, and another one the Dictatorship of the Proletariat. After the History of the Communist Party of the Soviet Union appeared it became the Central Textbook."

[31] Some of the instances of the use of various of the more important classics in evidence appears from the following exhibits which refer to study outlines, reading lists, school curricula, sales lists of Marxist literature and advertisements. It should be noted that these represent use of the items in years 1948 and 1949 and 1950. *Foundations of Leninism* (Pet. Ex. 121) Pet. Exs. 339, 346, 351, 369, 370, 416, 419, 420, 424, 425, 427; *Problems of Leninism:* Stalin (Pet Ex. 138) Pet. Exs. 370, 416, 419; *State and Revolution:* Lenin (Pet. Ex. 139) Pet Exs. 346, 370, 424; *Imperialism, The Highest Stage of Capitalism:* Lenin (Pet. Ex. 140) Pet. Exs. 339, 346, 369, 370, 419, 425, 427; *Communist Manifesto:* Marx and Engels (Pet. Ex. 31) Pet. Exs. 339, 351, 369, 370, 420, 424; *The Theory of the Proletarian Revolution* (Pet. Ex. 422) Pet. Exs. 419, 425, 427; *The United Front, The Struggle Against Fascism and War* (Pet. Ex. 149) Pet. Exs. 346, 420, 424, 427; *Theses and Statutes of the Third (Communist) International* (Pet. Ex. 8) Pet. Ex. 7; *Mastering Bolshevism:* Stalin (Pet. Ex. 335) Pet. Exs. 370, 416; *What Is To Be Done?* (Pet. Ex. 417) Pet. Exs. 346, 370, 416, 420, 424.

We proceed to examine the record as to Respondent's basic policies and activities to determine the extent to which they are formulated and carried out pursuant to Marxism-Leninism as hereinbefore defined; the extent to which such policies and activities reflect compliance in their formation and execution with other directives or instructions of the Soviet Union; and, the extent to which such policies and activities have as their purpose the furtherance of the policies of the Soviet Union and the advancement of the objectives of the world Communist movement. We treat first with the voluminous evidence concerning what Respondent and other Communist Parties throughout the world Communist movement constantly term the "struggle against mperialism", and with Respondent's participation in such "struggle".

3. *Imperialism*

The record establishes and we find that among the major activities of Respondent are teaching, advocacy, and agitation in opposition to what Respondent calls United States imperialism. This includes programs and activities such as "the struggle for peace"; the doctrine of "just and unjust wars"; the theory that the world is divided into two hostile camps, one led by the Soviet Union and the other by the United States; and the necessity of overthrowing existing "imperialist" governments by force and violence if necessary.

The record further establishes, and therefore we find, that a basic objective of the Soviet Union and of the world Communist movement is to bring about the downfall of the so-called "imperialist" countries, including the United States, believing that, in so doing, several coveted objectives will be achieved: protecting and defending the Soviet Union, establishing the dictatorship of the proletariat in the various countries, centralizing of all power—political, economic, and social—in the Communist Parties.

Upon consideration of the evidence hereinafter summarized and upon the entire record, we further find and conclude that respondent's teachings, advocacy, and agitation as above stated have as their objective and purpose the advancement of the world Communist movement; and they are formulated and carried out on the basis of Marxism-Leninism and other directives and instructions from the Soviet Union. We proceed to review the more significant evidence establishing the foregoing findings.

Respondent's witness Dr. Aptheker says there never was a period when the Communists of the United States ceased to characterize the United States Government as "imperialist," and that the United States, with its social system and ruling class, fits the definition of "imperialism" as given by Lenin and as adopted by Respondent. Typical of Respondent's position in this respect is the following quotation from an article appearing in the January 1951 issue of *Political Affairs:*

> * * * U. S. imperialism is the most reactionary force in the world today, seeking to fascize, not only America, but every capitalist country (Pet. Ex. 378, p. 9).

Additional illustration is furnished by an article by Betty Gannett published in the February 1951 issue of *Political Affairs* (Pet. Ex. 376, pp. 183–194) which emphasizes that the United States is imperialist and is plotting a new world war (p. 186); that "one of the main pillars of U. S. imperialism is its anti-Sovietism" (p. 189), whereas the Soviet Union is for peace, is not an aggressor, and, being a workers' state, cannot and does not pursue an imperialist course (p. 190). The oral and documentary evidence establishes convincingly that Respondent has consistently characterized the United States as an "imperialist" nation. This fact, standing alone, is not disputed on the record.

We proceed to review the evidence and make our findings concerning why Respondent teaches, advocates, and agitates against what it calls American imperialism. The *Communist Manifesto* (Pet. Ex. 31, p. 9) declares that society as a whole is splitting into two great hostile camps, the bourgeoisie and the proletariat. Lenin in *Imperialism* (Pet. Ex. 140, pp. 9, 11, 126) designates capitalism as "imperialism" and predicts a proletarian victorious revolution after the impending imperialist war; the United States is designated as "imperialist." In *State and Revolution* (Pet. Ex. 139, p. 6), Lenin explains in the preface that the Russian Revolution of 1917 "can be understood in its totality only as a link in the chain of Socialist proletarian revolutions called forth by the imperialist war." Stalin in *Foundations of Leninism* (Pet. Ex. 121, p. 15) develops the idea further to show that "imperialism" has made the revolution inevitable and has provided favorable conditions for it. In *Problems of Leninism* (Pet. Ex. 138, p. 9), he indicates that Leninism provides "suitable and obligatory" theory and tactics for the proletarian revolution against "imperialism".

In 1927, the Communist International issued a *Resolution On The American Question* (Pet. Ex. 43) which states that "The United States of America, during the last decade, has developed into the mightiest imperialist power" (p. 1); and, that the task of the Communist Party is "to form a broad united front and to intensify the struggle against American imperialism" (p. 1). The *Resolution* lists the policy of the United States in China and its attitude against the Soviet Union among the questions that "must" be utilized by the Party to rally the broad masses in defense of the Soviet Union and in its struggle against American imperialism (pp. 2–3).

The evidence summarized above is illustrative of a quantity of evidence which establishes that it is fundamental to Marxism-Leninism and to the world Communist movement led by the Soviet Union that all countries other than those of a victorious socialist revolution—which encompasses only the Soviet Union and those brought within its orbit—are characterized as "imperialist," against which the Communist Parties must wage the "struggle against imperialism."

In addition to the voluminous documentary evidence of record, Respondent's continuous adherence to these fundamentals of Marxism-Leninism and of the world Communist movement is established by the testimony of Petitioner's witnesses based upon their experiences as members and officials of Respondent; upon directions they received while in the Party and the instruction they gave as teachers in the Party; and upon their study of official Party publications. The more significant oral testimony is summarized as herinafter set forth.

While Petitioner's witness Gitlow was a high officer of Respondent, until 1929, its aims and purposes were: to defend the Soviet Union as the fatherland of the working class of the world; to carry out the orders and directives of the Communist International; and to work for the undermining of the foundations of the American Government in order to make it possible for Respondent to overthrow our form of government and set up in its place a dictatorship patterned after that which operates in the Soviet Union today.

In 1932, Petitioner's witness Kornfeder, a former leading official of Respondent, taught in a school at the Party headquarters that the main doctrine of Lenin called for the complete and total overthrow of all existing social institutions, the government, the existing organizations that support the government, the complete elimination of the present state structure and its replacement by a dictatorship led by Respondent.

Petitioner's witness Nowell was taught at the Lenin School in Moscow in 1932, and subsequently he himself taught in Respondent's schools in 1933 and 1934 in the United States, that the Government of the United States was the executive committee of the capitalist class in the United States and was subject to the same Marxism-Leninism laws of growth, development, and decay as all capitalist states; that the proletarian revolution and the dictatorship of the proletariat were necessary and equally as inevitable in the United States as in other capitalist countries; that it was the duty of the Communists to work for the overthrow of the Government of the United States and the establishment of the dictatorship of the proletariat, following the form of the Soviet, and under the hegemony of Respondent and the Communist International; and, that it was the necessary duty of Respondent, as a part of world Communism, to work for the overthrow of the other "imperialist" nations.

Petitioner's witness Meyer taught in Respondent's schools until near the end of 1945. He instructed the members of Respondent that Marxism-Leninism is a guide to Respondent in carrying out its *historical role or mission* to overthrow the capitalist system and political states founded on the capitalist system, to destroy the economic organization on which that society is founded and its political system, and to replace it with the dictatorship of the proletariat, to establish the kind of socialism that will lead to Communism.

Petitioner's witness Johnson was taught at Respondent's training school in about 1932 that it was the duty of the Communists to build themselves up to the position where they could challenge the power of the government, and that the Red Army would not hesitate to throw its weight into the scales to tip the balance in favor of the

Communist revolutionists in America; also, that the Communists should agitate and work for the demoralization of the Armed Forces of the United States by convincing them that they must refuse to fight against the Soviet Red Army and go over on the side of the Red Army using their guns against the Government of the United States and all the forces that remained loyal to it. This was the policy of Respondent throughout Johnson's membership, until 1940, and was elaborated upon by such leaders as Foster, Bedacht, Bittelman, Browder, and Stachel, at committee meetings and conventions. It is significant that Foster is the present national chairman of Respondent and some of these others are still high officials (see pp. 20 to 21 herein).

Petitioner's witness Lautner who was a member of Respondent until 1950, and Petitioner's witness Janowitz who was a member at the time of testifying in this proceeding, corroborate this evidence.

Petitioner's witness Matusow stated the aims and objectives of Respondent in case of a war between the United States and the Soviet Union were not to support the American "imperialists." The establishment of the dictatorship of the proletariat in the United States would have to be accomplished by violent means because "the ruling class would not give up its power." While in the Party (1947 to 1951), he did not hear or see anything to indicate a change in the aims of Respondent. He refers to a statement of Izzy Brown, Club Education Director of the Friedlander Youth Club in New York in 1948, that it was the policy of Respondent not to support the United States in an "imperialist war" against the Soviet Union.

Petitioner's witness Scarletto relates a discussion in the latter part of 1950 by Party members in which it was felt advisable that members go into the service of the United States in the Korean War because they would be in a position to sabotage the United States effort. At a meeting about the middle of November 1950 of functionaries of the Mexican Concentration Club, a suggestion was made to raise money through a neutral country for the North Koreans. The chairman of the Club at a meeting in the latter part of 1950, told witness Scarletto that it would be a good idea if he went back into the Navy Air Corps where he would have a good opportunity to sabotage. At a meeting of a Party club about December 1, 1950, the chairman reported American officers had been killed by their Korean orderlies. There were several expressions of satisfaction over this and the report that the war was going against the Americans at the time.

Petitioner's witness Evans, a member of Respondent from 1948 to 1952, was taught that in a war between the Soviet Union and the United States all members of Respondent should help defeat the predatory aims of imperialism.[32]

In the years between 1945 and 1950, Petitioner's witnesses Cummings, Hidalgo, Blane, Markward, and Baldwin were taught that the world was divided into two camps: the imperialists and the anti-imperialists (democracies); that Russia was anti-imperialist and democratic; that the wars of the imperialists were unjust wars and the wars of the anti-imperialists were just wars; that in a war between imperialists and anti-imperialists, the members of the CPUSA must aid the anti-imperialists; and that this would hold true in the case of a war between the Soviet Union and the United States.

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[32] The organ of the Communist Party of the Soviet Union in March 1950 stated that while imperialism exists there also exists the danger of new aggression and that in the presence of imperialism and its predatory plans wars are unavoidable (*Pravda*, Pet. Ex. 217).

Documentary evidence of Respondent's expressions confirms the oral testimony that Respondent's policy is to oppose many United States policies and activities as imperialists, and as aggressive against the Soviet Union; also, that Respondent's policy is to support the Soviet Union and defeat the aims of imperialism. *Political Affairs* for March 1951 describes President Truman's activities as "imperialism" on the way to bankruptcy and as a provocative semimobilization for an outright war against the Soviet Union.

A pattern throughout the world Communist movement for teaching, advocating, and agitating for the overthrow of "imperialist" governments exists in the concept or slogan that the world is divided into two hostile camps, one led by the Soviet Union and the other by the United States. As previously herein set forth, Lenin, Stalin, and the Communist International, in interpreting and adapting to the world Communist movement the writings of Marx and Engels, took the original concept that society is divided between the bourgeoisie and proletariat, and developed it into the doctrine or slogan that the world is divided into two hostile camps—the camp of the imperialist states and the camp of the dictatorship of the proletariat in the USSR. In the *Programme of The Communist International* (Pet. Ex. 125) this is explained as follows:

> The difference in class structure and in the class character of the government in the two camps, the fundamental differences in the aims each pursues in internal, foreign, economic, and cultural policy, the fundamentally different courses of their development, brings the capitalist world into sharp conflict with the victorious proletariat State. * * * The class struggle, which hitherto was conducted in circumstances when the proletariat was not in possession of State power, is now being conducted on an enormous and really world scale; the working class of the world has now its own State—the one and only fatherland of the international proletariat * * * (pp. 24 and 25).
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> * * * * * * *
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> Thus, as a result of the first round of imperialist wars a new, fundamental antagonism has arisen of world historical scope and significance; the antagonism between the U. S. S. R. and the capitalist world (p. 25).

The record establishes a consistent advancement of this doctrine or slogan by the Soviet Union and by the Communist Information Bureau, and its acceptance and use by Respondent. Of late, the slogan of "peace" has been added as hereinafter covered.

The Soviet Union in January 1949 characterized the postwar foreign policy of the United States and Great Britain as one of aggression and unleashing a new war for world domination, whereas, it stated, the Soviet Union struggles for universal peace and international security. This position of the Soviet Union as reported in *Pravda*, points out that "The very existence of the Soviet State, with its growing power and its international authority, and likewise the powerful support given to it by the democratic forces in other countries constitute an insurmountable barrier in the way of all plans of any kind for the establishment of world domination by one power or another." (Pet. Ex. 251, p. 19).

Pravda for March 11, 1950 (Pet. Ex. 217), contains a speech by V. M. Molotov which states that "Since the October Revolution in our country, the victory of the national liberation movement in China appears as a new and most powerful blow at the entire system of world imperialism and at all plans of imperialist aggression in our time" (p. 4), and "Now the Soviet Union has not only come out of international isolation but is also the center of the powerful international democratic camp. * * * In the capitalist countries themselves, we now have millions of active friends who are closing ranks more and more in a broad democratic, anti-imperialist movement." (p. 5) * * * "*The democratic camp*, which unites the USSR and the countries of the people's democracy, is opposed by the camp of the imperialist powers, headed by the ruling circles of the United States of America" (p. 6). [Emphasis added.]

For a Lasting Peace, for a People's Democracy issue of November 10, 1947, sets forth a speech delivered by A. Zhdanov[33] at the Informative Conference of the Nine Communist Parties held in Poland at the end of September 1947. A section of this speech is entitled: "The New Post-War Alignment of Political Forces and the Formation of Two Camps: the Imperialist and the Anti-Democratic Camp, and the Anti-Imperialist and Democratic One" wherein it is stated the principal driving force of the imperialist camp is the United States with whom Great Britain and France are allied; the second camp—anti-imperialist—is based on the USSR and the "new democracies" (Pet. Ex. 214–A).

For a Lasting Peace, issue of March 10, 1950, contains an article which concludes with the following:

> A comparison of the economic successes achieved by the Peoples' Democracies in a very short period of their history with the extremely difficult position of the working people in the capitalist countries constitutes a terrible indictment of American imperialism and of the whole decaying capitalist system (Pet. Ex. 412, p. 1).

With respect to Respondent, when Petitioner's witness Lautner left the Party at the end of 1949, the Party line was that the United States headed the imperialist forces of the world and that Russia led the anti-imperialist forces and that everything should be done to aid Russia and to disconcert the United States. Further, in 1949 an instructor in courses on the ABC's of Marxism included the United States in the imperialist camp and a similar position was taken by a Party study group in Boston, Massachusetts, in 1948, where it was stated that the United States led the "imperialists" and the Soviet Union led the anti-imperialists or Peoples' Democracies.

A "Discussion Outline" on "The Marxist Position Toward War" issued by Respondent's Educational Department, Michigan State Committee, in April 1949 (Pet. Ex. 400) has a section entitled, "IV. World War II was Just War" which says in part:

> The post-war world was split by the U. S. and Britain into two camps—the camp of imperialism and fascism under the leadership of American imperialism and the camp of democracy, national freedom and peace, headed by the U S S R (p. 4).

Similar teachings by Respondent are evidenced by study and teaching material used in various schools and groups (Pet. Ex. 425, p. 16; Pet. Ex. 424, Sess. 9).

Related to the concept of the world being divided into two hostile camps, is the concept or slogan set forth by Lenin and Stalin that distinguishes between "just wars," which are those carried on by "anti-imperialist" nations, and "unjust wars," i. e., those engaged in solely by "imperialist" nations among themselves or against any "socialist" country, such as the Soviet Union. We find that the concept of "just" and "unjust" wars, requiring the Communist Parties to support the Soviet Union in a war between the Soviet Union and any other country, and in a war between the Soviet Union and their own country to use every means to assist the Soviet Union, is basic to Marxism-Leninism; and that it has been continuously advanced and advocated by the Soviet Union, and has been continuously taught and followed by Respondent. Respondent's policies and activities centering around the doctrine of "just" and "unjust" wars is covered later in this report in connection with the issue as to what country the leaders of Respondent consider they owe allegiance. Accordingly, it is sufficient at this point to state our finding that Respondent's teachings and advocacy of this line represent a continued following of directions as to the line from Marxism-Leninism, the Communist International, and the Soviet Union.

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[33] The Zhdanov Report has recently been widely used and followed by Respondent. It was published in *Political Affairs* and discussed and studied throughout the Party while Lautner and Philbrick were members. It is variously listed as "required reading," "reading material," and "reading," in study and teaching materials used by Respondent in 1949.

We proceed to review the evidence concerning Respondent's use of the words "peace" and "democracy" in connection with the struggle against "imperialism" and for the advancement of the aims and objectives of the world Communist movement. Earlier in this report we have reviewed the united-front tactic as set forth in Marxism-Leninism as one of the means used for establishing the dictatorship of the proletariat. The united front has taken various approaches throughout the period since 1919. In the interest of reasonable summarization of the record, we limit this report to the use of the united-front tactic from 1935 on.

In 1935, the Communist International, with Respondent represented, mapped out the "tactical line" for the years ahead which consisted of forming a "united front" with other organizations in order to achieve national unity in the various countries for the purpose of combatting fascism.[34] The record shows that early in the 1930's, Stalin, in a report on behalf of the Central Committee of the CPSU to its Party Congress, pointed out that "the buorgeoisie would seek a way out of the economic crisis, on the one hand, by crushing the working class through the establishment of fascist dictatorship, i. e., the dictatorship of the most reactionary, most chauvinistic, most imperialistic capitalist elements" (Pet. Ex. 330, pp. 300–301). The record also shows that the Soviet Union realized a "second imperialist war" represented a serious danger to the USSR. (Pet. Ex. 330, pp. 334–5). In mid-1935, discussions were started in the Communist International on the matter of the united front—the "anti-Fascist front"—which were supported by the Communist Party of the Soviet Union as evidenced by an article in the August 6, 1935, issue of *Pravda;* this points out that "Unity—that is the command of the movement!" and emphasizes "that this unity be directed against Fascism, against the danger of a new imperialist war, against the offensive of capital," while also emphasizing that the Communists "know that only the dictatorship of the proletariat, only the Soviet Government is the sole salvation of the working class * * *" (Pet Ex. 183).

Thus, it is more than a coincidence that the Communist International in 1935 gave among the reasons for developing the "new tactical orientation," the economic crisis facing capitalism, the offensive of fascism, and the growth of the threat of a new imperialist war and of an attack on the U. S. S. R. (Pet. Ex. 137, pp. 21–22). In a speech at the close of this meeting of the Comintern, Georgi Dimitrov pointed out that "Ours is a Congress of struggle for the preservation of peace, against the threat of imperialist war"[35] (*ibid,* p. 8), and that:

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[34] In Communist documents, fascism is a form of imperialism.

> Standing firmly on the impregnable position of Marxism-Leninism, which has been confirmed by the entire experience of the international labor movement, and primarily by the victories of the great October Revolution, our Congress, acting in the spirit and guided by the method of living Marxism-Leninism, has reshaped the tactical lines of the Communist International to meet the changed world situation (*ibid,* p. 11).

The Resolution of the Comintern concerning the new approach or use of the united-front tactic lays down various things which the Communist Parties are to do in carrying out the revised line, and in that connection uses such words as "enjoins" (p. 26), "must" (p. 36), and "imperative" (p. 37). The record shows that Respondent fully and completely complied with this line laid down by the Communist International as evidenced by the following, which is among the more significant evidence of record on this point.

In November 1935 the Central Committee of Respondent adopted a resolution "fully and wholeheartedly" endorsing the decisions of the Seventh World Congress of the Communist International in which resolution the "chief task" of Respondent at the time is stated to be "to reorientate the work of the Party in accord with the tactical line of the Seventh World Congress" and in which "The Central Committee calls upon the party organizations and every Party member to prosecute the struggle for the united front with the utmost determination and flexibility in the *new way* pointed out by the Seventh World Congress" (emphasized in text) (Pet. Ex. 185, pp. 1182–1184). Like the resolution of the Comintern and the statements of the Soviet Union, Respondent's resolution takes care to point out that the line is an application "in a living way" of "the teachings of Marx, Lenin, Engels, and Stalin"; and that it is linked to the prosecution of the Party's "revolutionary aims" and "revolutionary principles and program" (*ibid,* p. 1185).

Some of the details of Respondent's compliance with the instructions of the Communist International are furnished by Petitioner's witness Nowell who in the latter part of 1935 was instructed by William Weinstone and other functionaries of the Michigan District of Respondent to proceed to set up certain organizations in accordance with the united front policy and conforming to the new type of reorientation, as set forth in the resolutions of the Comintern. The witness shows that he carried out these instructions by forming fractions in various organizations for the purpose of influencing the policies of the organizations and to guide them along the lines of the Communist Party in setting up the "united front" movement.

In 1936, Respondent's Central Committee issued a statement which was printed in Respondent's magazine, *The Communist,* issue for May 1936, calling upon all workers to unite to defeat fascism and on May Day to pledge to defend the Soviet Union. *The Communist* for May 1940 carries an article by "Gene Dennis" which points out the danger to the Soviet Union from the imperialist war and states that the united front can only be achieved successfully if consistently directed against the imperialist war and capitalist reaction.

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[35] The speech of Dimitrov and the Resolutions adopted by the Comintern were printed in pamphlet form in the United States by Workers Library Publishers and have been widely used by Respondent.

Some aspects of Respondent's line during the period of the second world war shifted back and forth to follow the position of the Soviet Union. The pertinent facts in this respect are covered in our findings under the section of this report on the issue of nondeviation; we have taken them into consideration as part of the pertinent evidence involving Respondent's following of foreign directions concerning the use of the united front tactic. The record shows that after World War II, the use of the united front tactic received a different emphasis in the form of the united front for "peace." The testimony of Petitioner's witness Lautner, which is corroborated by other evidence of record, furnishes a clear understanding of this aspect of the issues and is therefore pertinent for review in some detail. The witness testified in part as follows, which we find to be an accurate statement of the facts:

> The United Front tactics of the Communist Party were part of the subject matter of Marxism-Leninism, and in class [referring to Party classes in 1948] we tried to convey the idea that the Seventh World Congress decisions pertaining to the United Front tactics and Dimitrov's report in no way eliminated or negated the decisions of the Sixth World Congress but implemented the desisions of the Sixth World Congress in a way to enable the Party to develop a wider base on specific issues. Before the Seventh World Congress we had United Fronts that were based on a narrow concept popularly known as United Front from Below, United Fronts on specific issues, but were elements that were ready and willing to work on specific issues with the Communist movement. In the main it was an effort to increase and to advance the influence of the Communist Parties. This policy, based on the strategy and tactics of the Sixth World Congress, was a failure of the Party in Germany to make headway, the defeat suffered by the German Party, based on the strategy and tactics and the program of the Sixth World Congress, the failure in China, the failure to build the Red International Trade Union movement, the failure to gain a way or win a way to working classes, the organized section of the working classes from the influence of social democracy, with the result that reaction gained power in a number of countries. Hitler came to power in Germany. The Seventh World Congress devised a new tactical approach in order to achieve the main strategic objectives by developing a program of United Front from below and from above, and also the program of the people's fronts and coalitions around a specific issue in the struggle against fascism and in the struggle against war, because fascism was the main danger of war at that time.
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> * * * * * * *
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> So The United Front is not a repudiation of the basis [sic] strategic aims of the Communist movement, but as step that will bring closer the realization of that strategic aim.
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> * * * * * * *
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> After 1945 there came a re-evaluation of the world situation. Now the problem was to find that link in the chain again with which a new coalition could be developed on a united front basis, on a minimum program, on a partial program of the Communist International, with which coalition we could go forward to a new milestone, to a new point and gain new adherents to the Communist movement, and when we reached that milestone there would be a new situation, a new realinement of forces, and we would find that new link with which we could go forward again. *This link after the second world war was the struggle for peace.* The question of peace was the new link. At the reconstitution convention Foster in his report already indicated the direction in which the Party will travel in this postwar period, and Zhdanov's report later on precisely sets the two world camps and the main issue in the coming period, the issue of peace. That is the new link today around which the Party develops its activities to broaden out and to bring about an alinement of forces on the basis on which it can extend its

> influence and exert its influence among a broader section of the population of this country (Tr. 9543–46). [Italic added.]

The record clearly shows that the Communist Parties throughout the world, including the Respondent in the United States, are now actively and strongly presenting the line of "peace," particularly the united front in the "struggle for peace." The very name of the official organ of the Communist Information Bureau, which is *For a Lasting Peace, for a People's Democracy*, is indicative thereof. Key material used by Respondent in forming its "peace" line is the Zhdanov report, previously mentioned (see p. 49 and footnote 3), from which a typical quotation is as follows:

> All the forces of the anti-imperialist and anti-fascist camp are united in the effort to secure a just and democratic peace. * * * These countries, and in the first place the new democracies * * * have proved themselves in the postwar period staunch defenders of peace, democracy and their own liberty and independence against all attempts on the part of the United States and Great Britain to turn them back in their course and to bring them again under the imperialist yoke (Pet. Ex. 214–A, p. 2).

The position or line of the Soviet Union in this matter is evidenced by a report delivered by G. M. Malenkov at the meeting of the Moscow Soviet in November 1949 and printed in the November 11, 1949 issue of *For a Lasting Peace, for a People's Democracy*. In this report, Malenkov devoted a substantial portion to the heading "The Soviet Union Stands for Peace and Defends the Cause of Peace" (Pet. Ex. 231, p. 1). He points out that there is not a single country in which the movement uniting the supporters of peace does not possess a "base" (p. 2) and that the successes of "the camp of peace" drives the "enemies of peace," "by means of violence and new wars," to attempt the creation of an American world empire designed to turn the whole world into a "colony of the American imperialists, of reducing sovereign peoples to a state of slavery."

The December 1951 issue of *Political Affairs* contains a condensed translation from the Soviet philosophical journal *Voprosi Filosofie* which is entitled: "Stalin on the War Danger and the Possibility of Averting It." This Soviet statement, which by its publication in *Political Affairs* and in view of the entire record, makes it reasonable to conclude that it was adopted by Respondent and thus becomes the line of Respondent and is very similar in content to the above-mentioned Zhdanov and Malenkov reports. The statement outlines various forms which "the struggle for peace" has taken, such as fighting for an end to the war in Korea, against rearming West Germany and Japan, and a ban on atomic weapons. It also quotes with approval a declaration by Joseph Stalin in 1946 to the effect that "the peoples" are taking the fate of their states in their own hands and establishing "democratic regimes" and "carrying on an active struggle against the forces of reaction, against the incendiaries of a new war" (Pet. Ex. 488, p. 20).

Respondent's following of the line of the united front, and particularly the united front for peace, is evidenced by a quantity of documentary material probative of Respondent's policies and doctrines. Typical recent expressions of this line by Respondent appear in the *Daily Worker* issues of March 3, 1949, June 9, 1950, July 13, 1950, September 18, 1950, February 19, 1951, April 1, 1951, October 19, 1951, November 7, 1951, and June 9, 1952. The issue of November 7, 1950, contains the following as part of an editorial:

> Today the Soviet Union is indestructible. The work of Lenin and Stalin is immortal. The Socialist State has become the leader of a new force in modern history—the great camp of peace. This new alliance of hundreds of millions of people in China and the People's Democracies, together with the vast millions in the colonial and capitalist countries, can prevent war. This is the new achievement of the Soviet Union, the glorious vision that the people can make a reality (Pet. Ex. 468).

Recent indications of Respondent's following of this united front for peace line also appear in *Political Affairs* for November 1950, February 1951, April 1951, December 1951, and January 1952. The issue of February 1951 (Pet. Ex. 376) contains "greetings" from Communist Parties of some thirty countries sent to Respondent on the occasion of its 15th National Convention. These greetings condemn American imperialism and support the struggle for peace. The "greetings" from the Soviet Union says in part: "May the international solidarity of the toilers in the struggle for peace, democracy, and Socialism gather strength." The People's Democratic Republic of China advised Respondent: "As a result of common struggle of the people of the world and awakened people in the United States, American imperialism has met with huge defeats and will continue to meet with even bigger defeats." The French Party pointed out that Respondent's decisions "taken in the light of the teachings of Marx, Engels, Lenin, and Stalin, will enable you to advance forward on the road of unity of action of the working class." The Italian Party stated Respondent's struggle in defense of peace was greeted as its struggle. The German Democratic Republic said Respondent's fight is their fight "just as the struggle of the German friends of democracy and peace is your struggle." The Party of Great Britain expressed its "solidarity" with Respondent in the common struggle against Anglo-American imperialism. The Canadian Party expressed certainty that "Headed by the Mighty Socialist Soviet Union * * * the world camp of peace is going forward to win" and that Respondent "will not be found wanting."

Respondent's teaching materials used in its training schools and for self-study by the members furnish, among other things, still further evidence on the following of the united front for peace line. The "Discussion Outline" on "The Marxist Position Toward War" (*supra*, p. 49 of this report) put out in 1949 devotes considerable space to "Peace" and lists works by Lenin and Stalin and the *History of the CPSU* (*B*) as reading material. The "Outline For Nine-Day School," issued in 1948 (Pet. Ex. 346), has as the topic for the third lesson "Imperialism-War-Fascism-Struggle For Peace" and lists Lenin's *Imperialism* and the *United Front Against Fascism* as the reading material. Part II of the Study Outline for the Marxist Institute, issued in 1949 (Pet. Ex. 427), includes the study of the tactics of the Seventh World Congress of the Communist International and teaches that in the present period the strategic objective remains the same but the tactical line of the united front and peoples coalition developed still further, citing Dimitrov's report to the *Seventh World Congress* as required reading and the *History of the CPSU* (*B*) as supplemental reading (Session 9, pp. 1–3).

We find based on the foregoing and upon the entire record, that "the struggle for peace" including the tactic of the united front for peace, is presently a main line of Respondent, the Soviet Union, and the Communist Information Bureau, and that this line is based upon the tactics set forth in Marxism-Leninism. It is therefore important to consider what the Communists mean by "peace," as an aid in determining whether the "peace" line is a link or tactic in seeking to advance the objectives of the world Communist movement. The testimony of Petitioner's witness Lautner regarding the united front tactic as heretofore set forth is relevant to this matter. Also, the *History of the CPSU (B)* teaches:

> The Bolsheviks were not mere pacifists who sighed for peace and confined themselves to the propaganda of peace, as the majority of the Left Social-Democrats did. The Bolsheviks advocated an active revolutionary struggle for peace, to the point of overthrowing the rule of the bellicose imperialist bourgeoisie. The Bolsheviks linked up the cause of peace with the cause of the victory of the proletarian revolution, holding that the surest way of ending the war and securing a just peace, a peace without annexations and indemnities, was to overthrow the rule of the imperialist bourgeoisie (Pet. Ex. 330, p. 167).

The *History* further teaches that to achieve "peace" the Communist Parties should convert imperialist war into civil war and defeat one's own government in an imperialist war (*ibid.*, p. 167).

The understanding of the "struggle for peace" as an active, revolutionary struggle is further evidenced from a resolution adopted in 1935 by the Comintern, which resolution reads in part as follows:

> At the present historical juncture, when on one-sixth part of the globe the Soviet Union defends socialism and peace for all humanity, the most vital interests of the workers and toilers of all countries demand that in pursuing the policy of the working class, in waging the struggle for peace, the struggle against imperialist war before and after the outbreak of hostilities, the defense of the Soviet Union must be considered paramount (Pet. Ex. 137, p. 48).

These tactics are also revealed in Dimitroff's *The United Front*, a part of the body of Marxism-Leninism, which says, *inter alia:*

> * * * You cannot carry on a real struggle against fascism if you do not render all possible assistance in strengthening the *most important buttress* of this struggle, the Soviet Union. You cannot carry on a serious struggle against fascist instigators of a new world blood bath, if you do not render undivided support to the U. S. S. R., a *most important factor* in the maintenance of international peace * * * (Pet. Ex. 149, p. 279, emphasized in text).

Additional insight into Respondent's use of the "struggle for peace" is furnished by the aforementioned "greeting" sent to Respondent by the Soviet Union on the occasion of Respondent's 15th National Convention in late 1951. This "greeting" is later herein discussed in more detail with respect to the issue of Respondent's reporting to the Soviet Union. Petitioner's witness Lautner, based on his experiences as a member of Respondent including what he taught and was taught, considers the greeting "a political document of the highest importance" (Tr. 10068), which raises all the basic questions that Respondent is confronted with at the present time and "gives leadership to the American Party" (Tr. 10069). Lautner interprets "struggle for peace, democracy and socialism" as "the new tactical approach since the end of the war, the link with which this tactical united front is to be built." (Tr. 10070); and so we conclude.

In view of the foregoing and upon the entire record, we find and conclude that the "struggle for peace" as used and practiced by respondent, sometimes called the "struggle against reaction", represents the present emphasis of the "struggle against imperialism" which is and has been a basic, active, revolutionary doctrine taught and advocated by respondent for the purpose of overthrowing "imperialist" governments (by force and violence if necessary) and substituting the dictatorship of the proletariat. We further conclude and find that respondent's "struggle for peace," "struggle against imperialism" and united-front tactics followed in connection therewith, represent a continued following of directives of the Soviet Union as contained in Marxism-Leninism, in specific instructions of the Soviet Union and in the program of the Communist International; and are designed to advance the objectives of the world Communist movement.

4. *Democratic Centralism and Self-Criticism*

Respondent's use of the organizational principle known as democratic centralism, hereinbefore referred to under "Marxism-Leninism", is one of the many facts indicative of its operation pursuant to directives from the Soviet Union through which the policies of the Soviet Union are effectuated.

The *Programme of the Communist International* covers democratic centralism as follows:

> The Communist International and its Sections are built up on the basis of democratic centralism, the fundamental principles of which are: (*a*) Election of all leading committees of the Party * * *; (*b*) periodical reports by leading Party committees to their constituents; (*c*) decisions of superior Party committees to be obligatory for subordinate committees, strict Party discipline and prompt execution of the decisions of the Communist International, of its leading committees and of the leading Party centres.
>
> Party questions may be discussed by the members of the Party and by Party organizations until such time as a decision is taken upon them by the competent Party committees. After a decision has been taken by the Congress of the Communist International, by the Congress of the respective Sections, or by leading committees of the Comintern, and of its various Sections; these decisions must be unreservedly carried out even if a Section of the Party membership or of the local Party organizations are in disagreement with it (Pet. Ex. 125, p. 86).

Respondent admittedly follows and applies the principle of democratic centralism.[36] It has done so substantially throughout most of its existence. In 1945, when Respondent was reconstituted as the Communist Party, its leader, William Z. Foster, proclaimed:

> * * * Only by applying the sound principles of Leninist democratic-centralism can our Party keep its mistakes to a minimum and develop the clear-thinking unity of action and resolute discipline that are the great strength of Communist parties all over the world (Pet. Ex. 372, p. 793).

Respondent's position with respect to the issue of democratic centralism is as expressed by its counsel in arguing before us: "What has all that got to do with domination and control by Moscow?" (Tr. Jan. 7, 1953, p. 51). Respondent's evidence is to the effect that the principle of democratic centralism is the ultimate in democracy in that the rank-and-file members elect the next higher officers and so on up to the highest authority of the Party—the national convention. Respondent states that once a decision is reached by the majority, that decision is binding on the whole body.

Witnesses for the Petitioner testify to a different understanding of democratic centralism.

Gitlow stated: "The Communist Party in the United States was a centralized organization, ruled from the top down, and not from the bottom up;" and when he, Lovestone, and Wolf were deposed in the schism of 1929, arrangements were made in Moscow that control of the United States party was to be vested in a representative of the Communist International who was given specific power to nullify any decision that any committee or any branch of the CPUSA made. He was also given power to expel any member of the party as well as other powers over the party.

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[36] Respondent's witness Gates says democratic centralism is the principle which governs the party organization and function. He does not, however, indicate its origin.

Kornfeder likened the party structure to a military one, with power coming from above.

Nowell testified that, during his membership (between 1929 and 1936), in actual practice authority descends upon the membership from the top.

We find that the materiality and relevancy of the issue of democratic centralism lies in its source as concerns Respondent's acceptance and practice of it, and in its use as a means of bringing Respondent within the authority of the Soviet Union. The record leaves no real doubt that, at least until 1940, Respondent followed democratic centralism as a requirement of membership in the Communist International,[37] and that on the basis of democratic centralism all decisions of the Communist International had to be fulfilled by Respondent. From this it follows, based on the evidence elsewhere herein set forth, that for the period covering over twenty years of Respondent's existence, the principle of democratic centralism was one of the means whereby Respondent came within the authority of the Soviet Union.[38] Upon consideration of all of the evidence concerning Respondent's policies, activities, and conduct over the subsequent period of its existence, particularly the evidence covering nondeviation and allegiance as elsewhere set forth in this report, it is reasonable to conclude, and we do so, that Respondent's continued following of the principle of democratic centralism keeps Respondent within the authority of the Soviet Union.

We further find that the principle of democratic centralism is one of the policies established by the government and Communist Party of the Soviet Union, through adaptations of Marxism-Leninism, as an organizational policy of the world Communist movement, and that Respondent's operations based upon the following of the principle evidences the purpose to effectuate the policies of the Soviet Union and of the world Communist movement.

In making our findings and conclusions concerning democratic centralism, we have taken into consideration the disciplinary aspect of the principle which is treated later in this report.[39] We have also taken into consideration the evidence concerning the collateral Marxist-Leninist concept or device called self-criticism, as followed and understood by Respondent. In arguing about self-criticism before us, Respondent's counsel stated as follows concerning self-criticism:

> Another instruction or directive that the recommended decision relies on is what the Marxists call self-criticism. What is self-criticism? You get it from the books that are in evidence here. You get it from testimony of the witnesses. It is the proposition that Marxists assert that any serious political party should be willing openly to admit its mistakes, should discuss its mistakes of the past openly, and in the course of such public and open discussion also decide how those mistakes should be corrected. That is all that this principle of self-criticism means (Tr. Jan. 7, 1953, p. 54).

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[37] See pp. 9 to 14 concerning the Communist International and Respondent's membership therein.

[38] See pp. 27 to 28 herein.

[39] This includes the evidence furnished by Petitioner's witness Johnson and others which establishes that in the past Respondent's organization included a Central Control Commission—the national disciplinary body—which was the American section of the International Control Commission in Moscow that maintained the strictist, iron discipline in the Party and kept every Communist in line.

The record, however, shows that the source of the doctrine and its use by Respondent lies in Marxism-Leninism and has as its primary purpose keeping Communists in line with the policies of the Soviet Union. As elsewhere herein noted, Respondent in 1945 reemphasized the revolutionary line of Marxism-Leninism and expelled Earl Browder as a "revisionist." Those who had supported Browder engaged in "self-criticism" by saying that they were wrong in adhering to Browder's deemphasis of the revolutionary line of Marxism-Leninism and in committing the other errors pointed out by Jacques Duclos, a spokesman for the world Communist movement.

"Self-criticism" is a device for safeguarding the unity of the Party and the iron discipline required by the Soviet Union. Elsewhere herein we discuss the evidence on these points in more detail. It is pertinent here to set forth a few illustrations from the record. Respondent's *Manual on Organization* contains the following: [40]

> It is clear, however, that basic principles and decisions, such, as for example, the Program of the Communist International, cannot be questioned in the Party (Pet. Ex. 145, p. 26).
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> * * * * * * *
>
> We do not question the correctness of the revolutionary theory of the class struggle laid down by Marx, Engels, Lenin, and Stalin (*ibid*, pp. 26 and 27).
>
> * * * * * * *
>
> Self-criticism is a natural part of the life of the Party * * *. Without self-criticism, there can be no Communist Party. But this criticism must never depart from the line of the Party, from the principles of Marxism-Leninism. * * * destructive criticism * * * if tolerated * * * leads to factionalism (*ibid*, pp. 32 and 33).

In short, the policies of the Soviet Union cannot be questioned.

An "Outline On Fundamentals of Marxism For Class Use or Self Study," issued by Respondent's National Educational Commission, cites Stalin's *Foundations of Leninism* as the "source of unity and discipline in the Communist Party" and quotes from Lenin, *Selected Works*, on the practice of self-criticism (Pet. Ex. 370, p. 31), which is indicative of the source of Respondent's use of the doctrine. Further, an article in *Political Affairs* for January 1951 covering the main resolutions of Respondent's 15th National Convention, treats with the practice of criticism and self-criticism as "the inner law of Party development" (Pet. Ex. 378, p. 33) and includes the following:

> Thus the whole Party does not often enough participate in evaluating major developments and struggles; does not sufficiently learn from mistakes committed.
>
> This in turn leads to many "independent" estimates which are not resolved into one single Party estimate. This tends to weaken Party discipline and the carrying out of Party decisions (pp. 33 and 34).
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> * * * * * * *
>
> The 15th National Convention of the Communist Party, U. S. A., demonstrates the firm political unity of our Party. It calls upon the whole membership to guard the monolithic character and unity of our Party, based on democratic centralism. We must strive for the highest discipline arising out of conscious understanding of the Party's theory and political line. Tendencies toward factionalism are totally impermissible and must be sharply dealt with because they weaken the Party and make it possible for the enemy more easily to penetrate its ranks (pp. 34 and 35).

In view of the foregoing and upon consideration of the evidence concerning discipline and allegiance as later in this report reviewed, and upon the record as a whole, we find and conclude that Respondent practices the doctrine of self-criticism in compliance with the requirements of the Soviet Union and for the purpose of keeping its members in line with the policies and directives laid down by the Soviet Union.

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[40] According to Respondent's witnesses, the *Manual* is obsolete in Party circles. On the other hand, the evidence furnished by witnesses Nowell, Crouch, Lautner, and Budenz, and the fact that the author of the *Manual*, J. Peters, a high officer of Respondent, only left the United States and Party work in 1949, preponderates to establish the continued use of the *Manual* until at least 1949.

5. *Foreign Representatives in the United States*

The foregoing facts concerning Respondent's organizational structure and the changes therein, the true meaning and use of Marxism-Leninism, and Respondent's policies and activities in "the struggle against imperialism" demonstrate and confirm the international character of the world Communist movement; that Respondent is the United States section or part of that movement; and, that the movement is dominated and controlled by the Soviet Union. Further confirmation and demonstration are found in the evidence concerning other activities or programs which the record establishes are the subjects of Respondent's major attention and efforts. These are hereinafter covered under the headings "Major Programs" and "The Communist Press."

We find that from time to time throughout Respondent's existence, the formulation and carrying out of its policies, programs, and activities as aforesaid have been directed or supervised by foreign representatives in the United States from the Soviet Union; this serves to illuminate and explain the basis and source of the policies and activities, and further illustrates the international aspects of Respondent's operations, as well as the foreign control thereover. A condition of the Communist International which was accepted and followed by Respondent was that:

> The E. C. C. I. and its Presidium have the right to send their representatives to the various Sections of the Communist International. Such representatives receive their instructions from the E. C. C. I. or from its Presidium, and are responsible to them for their activities. Representatives of the E. C. C. I. have the right to participate in meetings of the central Party bodies as well as of the local organizations of the Sections to which they are sent. * * * Representatives of the E. C. C. I. are especially obliged to supervise the carrying out of the decisions of the World Congresses and of the Executive Committee of the Communist International (Pet. Ex. 125, pp. 89 and 90).

It would unduly burden this report to trace the many instances of record where such foreign representatives have been in the United States and active in the affairs of Respondent. Among such representatives identified in the record are Gerhardt Eisler (sometimes known as Edwards and Hans Berger), J. Peters, Pogany (John Pepper), Golos, Peterson, Frank Miller, P. Green (Gussev), Yusefovich, Merker (Wagner), Walettsky, and Allen. Limiting this report to a few examples, the record supports the testimony of Petitioner's witness Johnson who testified, based on what he was taught in Respondent's training school in 1932, that a representative of the Comintern had power superseding that of any leader in the American Party and was the complete boss over Respondent's policy. Similarly, Petitioner's witness Lautner shows that when a Comintern representative spoke at Party meetings, no one questioned his decisions and they were accepted as the Party line.

In the light of the record, we find that many of the policies and activities presently being carried out by Respondent were originally formulated under the supervision of representatives of the Communist International, and that this fact is indicative of foreign domination and control of Respondent. This, however, is not the entire state of the record as to activities of foreign representatives. When viewed in the light of the facts that Respondent announced its disaffiliation from the Comintern in 1940 to avoid identification as a foreign agent in the United States, and that the dissolution of the Comintern was announced in 1943 as a tactical move for unity in World War II and to eliminate that manifestation of foreign direction over the member Communist Parties, the less apparent but yet identifiable subsequent activities of foreign representatives in the United States becomes significant.

We have previously found that Manuilsky, while a Soviet Union representative to the United Nations in 1945, sent word to Respondent to the effect that it should heed Duclos' statement concerning the reconstitution of the Communist Party.[41] Other individuals who had previously been here as Communist International representatives are identified on the record as active in the United States after 1940. J. Peters and Gerhardt Eisler [42] are the subjects of considerable testimony.

Respondent's witness Flynn states on direct examination that since she assumed her duties as a member of the National Committee in 1938, Respondent has not received any directives or instructions from any representative of the CPSU and that to her knowledge no Communist International representative has been in the United States since 1946. She knows Gerhard Eisler but did not meet him until after his arrest. She states that neither he nor any of her fellow officers in the CPUSA ever told her that he (Eisler) was a representative of the Communist International. The testimony of Respondent's witness Gates is to the same effect.

Of the reputed Communist International representatives in the United States, Eisler was the most conspicuous and most noteworthy. Eisler was in this country for many years and fled the United States while on bail, pending the appeal of his conviction in 1949 for false swearing. Witness Kornfeder shows that in 1933 Eisler, whom he had originally met in Moscow, was a Comintern representative in the United States and discussed with him the infiltration of the American Federation of Labor and the Railroad Brotherhoods. Eisler warned him of serious consequences if he spoke against a new trade-union policy at a national convention of the Communist Party in 1934. Kornfeder disregarded Eisler's warning and was told to repudiate in the Party press within sixty days what he had said. He was expelled from the Party. Witness Johnson stated that Eisler's word was law in the CPUSA. Witness Meyer knew Eisler as a Comintern representative, as did witness Lautner. Lautner testified that after 1945 he knew that Eisler undertook to influence Party activities in the United States. Witness Budenz said that Stachel, a high Party leader, received orders from Eisler in 1943 and 1944, and that there was talk of Eisler as a Comintern representative in 1945. During this period Stachel consulted with Eisler frequently.

Another person conspicuously active in the activities of the CPUSA was J. Peters, author of Respondent's *Manual On Organization.* Witness Nowell identifies him as a Comintern representative. Witness

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[41] See *supra* p. 16.

[42] The record shows that both Peters and Eisler as well as other Comintern representatives have used various other names and aliases. Eisler has been known as "Edwards" and "Berger," and on one occasion he asked witness Nowell to call him "Brown." J. Peters was also known as William Peters, Alexander Stevens, and Clarence Miller. Also as Joe Peters, Alexander, or Goldberg.

Crouch said he took orders from Peters between 1934 and 1940, and witnesses Johnson and Lautner testified that Peters provided them with secret codes.

Peters was deported in 1949. Subsequently, an official actively engaged in Respondent's youth activities met Peters in Hungary while the former was attending the World Youth Festival there.

We find that the testimony of Petitioner's witnesses is credible and that the testimony of Respondent's witnesses is not in accord with the facts in this matter. A preponderance of the evidence clearly shows that representatives of the CPSU were in the United States and that through them Respondent received directives and instructions.

6. *The Communist Press*

In addition to the foregoing, further indication that the Respondent operates pursuant to directives of the Soviet Union, and is controlled by the Soviet Union in its views and policies, is furnished by the evidence hereinafter summarized concerning the Communist press and its use for the exchange of information. In the United States the *Daily Worker* and *Political Affairs* operate as guides for the membership of Respondent as to the correct views and policies. In the Soviet Union, the organ of the Communist Party of the Soviet Union is a paper called *Pravda*. On an international scale, *For a Lasting Peace, for a People's Democracy* is the organ of the Information Bureau of the Communist and Workers' Parties (Cominform).

We find that one significant aspect of the issue of domination and control lies in the formation, nature, and character of the *Daily Worker*. The record shows that the Communist International required the member parties to "create a new type of periodical press * * * in which the Communists * * * learn to utilize the slightest liberty allowed by the laws * * *" and without which "the preparation for the dictatorship of the proletariat is impossible" (Pet. Ex. 8, p. 20). The International also required that such a Party press carry on a policy fully corresponding to the policy of the Party; edited by reliable Communists; and subject to the control of the governing body of the Party (*ibid.*, p. 27). We find that the policy, content, and advocacy of the *Daily Worker* is and has been under the complete supervision and control of Respondent's leaders and top committees; that officers of Respondent have been the principal officers of the paper; that the paper's policies correspond to the policies of the Party and the paper is considered a necessity for the effectuation of the Party's aims and purposes. In its early years, the *Daily Worker* was aided by financial subsidies from Moscow and until about 1944 was furnished free information or dispatches at nominal cost, from Moscow through a Soviet Union news service. The record shows various directives issued by the Communist International concerning the *Daily Worker*, which were followed. Upon consideration of the foregoing and upon the whole record, we find and conclude that the *Daily Worker* was established pursuant to directives of the Communist International and presently fulfills the function it has always had.

We further find, on the basis of the evidence hereinafter summarized, that the *Daily Worker* is the counterpart in the United States of the Soviet Union organ, *Pravda*, translated issues of which are part of the record in this proceeding. While Petitioner's witness Budenz was managing editor of the *Daily Worker* (1941–45), staff meetings were held for political education—"to keep the staff on their toes regarding Party theory and thinking"—at which meetings the *History of the Communist Party of the Soviet Union* (*Bolsheviks*) was used. We have heretofore found that the *History* constitutes one of the principal sets of rules and guides followed by Respondent. It is stated in the *History* that, "A powerful instrument used by the Bolshevik Party to strengthen its organizations and to spread its influence among the masses was the Bolshevik daily newspaper *Pravda* * * * founded, according to Lenin's instructions, on the initiative of Stalin, Olminsky, and Poletayev" (Pet. Ex. 330, p. 149). The *History* also states that *Pravda* "directed the working class movement toward one definite aim—preparation for revolution" (*ibid*, p. 153) and that a legally published newspaper "could not call openly for the overthrow of tsardom" and "had to resort to hints, which, however, the class-conscious workers understood very well * * *" (*ibid*, p. 150). Examples are given of "modest" sounding words which were understood by the workers as a "call" (*ibid*, p. 151). Respondent's official concept of the *Daily Worker* in the 1930's, which the record shows still persists, is that the paper is "One of the main and most important instruments of agitation and propaganda * * * for reaching and winning the masses" (Pet. Ex. 145, pp. 78–79). This is pertinent for comparison with the aforequoted concept of *Pravda* as "A powerful instrument used by the Bolshevik Party to * * * spread its influence among the masses."

We treat now with the issue as to whether the foreign Communist press contains articles or statements that constitute directives or instructions to Respondent. Respondent's witness Gates is a member of the National Committee, and is editor of the *Daily Worker*.[43] He denies that any foreign publication contains directives to the Respondent. The testimony of Respondent's other two witnesses is to the same effect. On the other hand, while petitioner's witness Budenz was managing editor of the *Daily Worker*, "the Communists looked in these articles from Moscow for the directives and the line that was to be pursued, the attitude that should be taken."

The direct oral testimony, however, is not the full state of the record in the premises. In resolving this issue, we have taken into consideration the facts elsewhere herein set forth concerning "non-deviation," and particularly, as established by a review of the pertinent documents of record, the fact that the *Daily Worker* does not deviate from or disagree with the Soviet press.[44] We have also taken into consideration the background of the Communist press in this country and in the Soviet Union as heretofore set forth, and the aforementioned principle that the press resorts to "hints" or "modest" language but which the "workers" understand. Further, it is not seriously disputed on the record that the *Daily Worker* receives political news from abroad, particularly from Moscow, which includes translations from the Soviet press, and that a correspondent of the *Daily Worker* is stationed in Moscow.

Additional evidence on this issue consists of the fact that the Communist publication *For a Lasting Peace, for a People's Democracy* is distributed in the United States to functionaries of Respondent, and copies have been made available by Respondent to meetings of various of Respondent's committees and groups. Petitioner's witness, Matusow, furnishes an example of the effect of an article in *For a Lasting Peace, for a People's Democracy*. In the summer of 1948, the director of the Jefferson School gave a lecture at the school's summer camp to the effect that the Communists agreed with Tito and Yugoslavia and all the things they were trying to do. A few weeks later, the news was published in *For a Lasting Peace, for a People's Democracy* that Marshal Tito and the Yugoslav Communist Party had been denounced by the Cominform. The same school director then took the reverse position in his lectures although his only source of information was the Cominform journal.

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[43] He held these positions prior to starting to serve a prison sentence for conviction in 1950 for violation of the Smith Act, and, as far as he knows, still retains the positions.

[44] Respondent's witness Gates says the similarity between Respondent's views and those of the Soviet Union is only the coincidence of the common application of Marxist-Leninist principles.

Other parts of this report present our findings concerning the well-established requirement of the Soviet Union that vigilance be maintained against "reformists," "opportunists," "stool pigeons," etc.; and the application in this respect of the Communist doctrine of self-criticism. An article by Gilbert Green, high officer of Respondent, entitled "For Communist Vigilance" appears in the May 1950 issue of *Political Affairs*. The article refers to the way in which the Polish and Bulgarian Communist Parties dealt with lack of vigilance—"the reflection of opportunism in the thinking and work of the Party"—and quotes articles from *Pravda* and *For a Lasting Peace, for a People's Democracy* on the need for Bolshevik criticism and self-criticism. It is reasonable to conclude from the article that the author considered the foreign articles as authoritative instructions.

Some of the articles which are in evidence from *Pravda* contain specific reference to the United States. The March 11, 1950, issue (Pet. Ex. 217) contains a speech by Molotov on the international situation in which the following appears:

> The democratic camp, which unites the USSR and the countries of the people's democracy, is opposed by the camp of the imperialist powers headed by the ruling circles of the United States of America (*ibid*, p. 6).

* * * * * * *

> It is our permanent task and important duty to watch everything that is going on in the camp of imperialism (*ibid*, p. 6).

* * * * * * *

> We fully stand for the Leninist-Stalinist principles of peaceful coexistence of the two systems and their peaceful economic competition. But we know it to be true that while imperialism exists, there also exists the danger of new aggression and that in the presence of imperialism and its predatory plans wars are unavoidable. Therefore, the advocates of a durable peace among the peoples must not be passive and become empty pacifists who are charmed by phrases, but they must every day conduct a stubborn and still more effective struggle for peace, drawing into it the masses of the people and not stopping before appropriate measures when the imperialists attempt to unleash new aggression (*ibid*, p. 11).

When read in the light of the considerable evidence of record respecting Respondent's position concerning the United States as an aggressive, imperialist power, and Respondent's policies and activities in the struggle for peace, all of which is set forth in detail elsewhere in this report, it is reasonable to conclude that the foregoing article in *Pravda* demonstrates that the so-called struggle for peace is used in order "to sweep imperialism and aggression from the face of the earth forever" (Pet. Ex. 217, p. 11).

Upon the whole record, we find and conclude that articles published in *Pravda* and *For a Lasting Peace, for a People's Democracy* are understood by Respondent and treated as authoritative instructions or directives as to the line to be taken or the policy to be pursued.

7. *Major programs*

We have hereinbefore referred to the fact that Marxism-Leninism, through the so-called Classics, sets forth certain programs and policies as the means of forwarding the world revolution. Particular emphasis as to programs (as distinguished from organization and discipline in the world Communist movement and from the strategies and tactics for the overthrow of imperialism), is placed upon work in and with labor unions, youth, and minority groups (see pp. 33 to 37, *supra*).

We also find that such programs were basic requirements of the Communist International and have been and are constantly advanced by the Soviet Union. We find further that Respondent early formulated and has consistently carried out such programs in the United States in conformance with Marxism-Leninism and pursuant to other directives of the Communist International and of the Soviet Union, and that the formulation and carrying out of such programs have as their aims and purposes the advancement of the objectives of the world Communist movement. The evidence as to Respondent's activities in and with labor unions, youth, and minority groups, particularly the Negroes, is voluminous. It would unduly burden this report to set forth the many detailed facts from which the foregoing findings are established. We limit ourselves to what we consider the more significant—those in the past which determine the source and illuminate the present, and those of more or less current use and application which determine the continuity and consistency.

It is clear, and as we read the record not disputed, that major attention is given by Respondent to trade-union work, to youth and to "the struggle for national liberation of the Negro people." At issue are the reasons for this attention—why and for what purposes. In other words, this proceeding is concerned with whether these policies and activities were formulated and are being carried out on Respondent's initiative or whether they come within Section 13 (a) (1) of the Act.

The preceding section of this report which establishes the meaning of Marxism-Leninism as understood and used by Respondent shows that trade-union work, youth work, and work among the minorities, are given importance in the world Communist movement. Trade unions and youth under Marxism-Leninism are the "belts" and "levers" without whose aid the dictatorship of the proletariat cannot be realized, while the directing force is the Party. Trade unions are "a school of Communism"; youth are "young reserves"; and national minorities have "latent revolutionary capacities." Under the Classics, Communists are taught the necessity of "winning over and "utilizing" trade unions in order to carry on the struggle against the government; the necessity of "organizing the Marxist-Leninist training of youth"; and, the necessity of "utilizing" the latent revolutionary capacities of the minority groups for "the overthrow of imperialism."

Additional evidence as to the importance of trade unions, youth, and national minorities in the world Communist movement is furnished by the consistent requirements of the Communist International. The *Theses and Statutes* required that the component member parties carry on Communist work in labor unions and form Communist groups within the organizations to "win over labor unions to Communism" and "to subordinate the unions to the practical leadership of the Party, as the advance guard of the workers' revolution" (Pet. Ex. 8, pp. 29–57); that organizational relations between youth and the Communist Party be basically defined in every country after the same system (p. 8) and, that a policy be carried out for the closest union between all national and colonial liberation movements and Soviet Russia—"to support the revolutionary movement among the subject nations (for example, Ireland, *American Negroes*, etc.) and in the colonies" (p. 69, emphasis added). In discussing preparation for the dictatorship of the proletariat, the *Theses and Statutes* says in part:

> In every organization, union, association—beginning with the proletarian ones at first, and afterwards in all those of the nonproletarian workers and exploited masses (political, professional, military, cooperative, educational, sporting, etc.) must be formed groups or nuclei of Communists—mostly open ones, but also secret ones which become necessary in each case when the arrest or exile of their members or the dispersal of their organization is threatened; and these nuclei, in close contact with one another and with the central Party, exchanging experiences, carrying on the work of propaganda, campaign, organization, adapting themselves to all the branches of social life, to all the various forms and subdivisions of the working masses, must systematically train themselves, the Party, the class, and the masses by such multiform work (p. 16).

The *Programme of the Communist International* further emphasizes these policies and activities. Concerning trade unions, the *Programme* says:

> * * * It is particularly important for the purpose of winning over the majority of the proletariat, to capture the *trade unions* (emphasized in text), which are genuine mass working class organizations closely bound up with the every day struggles of the working class. To work in reactionary trade unions and skillfully to capture them, to win the confidence of the broad masses of the industrially organized workers, to change and "remove from their posts" the reformist leaders, represent important tasks in the preparatory period (Pet. Ex. 125, p. 76).

With respect to youth, the *Programme*, in what we find to be adherence to the principles of Lenin and Stalin, points out that the Party relies directly on the mass organizations which include youth, and that systematic work must be carried on among the proletarian and peasant youth (p. 82).

Concerning minorities, the *Programme* points out the necessity to support every movement "against imperialist violence in the colonies, semicolonies, and dependencies themselves"; to carry on propaganda against all forms of chauvinism and against the "imperialist maltreatment of enslaved peoples and races, big and small (treatment of Negroes, yellow labor, anti-Semitism, etc.)."

Still further evidence concerning the role to be given trade unions, youth, and national minorities in the world Communist movement lies in the official organ of the Communist Information Bureau. The December 2, 1949, issue of *For a Lasting Peace, for a People's Democracy* contains a report submitted to the Cominform by M. Suslov, representative of the Communist Party of the Soviet Union, entitled "Defense of Peace And The Struggle Against The Warmongers," which emphasizes the necessity of drawing trade unions into the "camp of the fighters for peace, against the warmongers"; it points out the help that can be furnished by youth; and says that the duty of the Communist and working class parties in the capitalist countries is to merge the struggle for the national independence with the struggle for peace (Pet. Ex. 249, p. 3). The Zhdanov report, previously herein referred to, includes the following statement:

> Imperialist countries like the United States, Britain and countries near to them become dangerous foes of the national independence and self-determination of nations, while the Soviet Union and the countries of the new democracy are a secure bulwark in the defense of the equality and national self-determination of nations (Pet. Ex. 214, p. 22).

Upon consideration of the foregoing and upon the entire record, we find and conclude that trade union work, the training and organization of youth, and national liberation movements, all under the guidance of the Communist Party, are essential elements in carrying out the world Communist movement and that these policies were formulated and have been from time to time implemented by Lenin and Stalin, the Communist International, and the Communist Information Bureau. We proceed to examine the record concerning Respondent's use and application of these elements. Evidence as to Respondent's direction in its trade union and national liberation programs is furnished from an article by "Alex Bittelman" which was printed in the March 1934 issue of Respondent's magazine *The Communist* (Pet. Ex. 126). The author, Bittelman, is presently a high official of Respondent. The theme of the article was to seek to make it appear that the Communist International did not "interfere" in American affairs or "dictate" to Respondent, but that Respondent heeded the Comintern in the exercise of Respondent's own conviction and will.[45]

With respect to trade union work, Bittelman wrote in part as follows:

> The next milestone in the Comintern leadership for the American party we find on the question of trade union work. * * * The Comintern brought the American militants and lefts closer to the world labor movement and to the basic problems of the American labor movement. The trade union question was one of them. * * * Even the best and most experienced among the left and militant leaders of the American workers * * *, such as the late Charles E. Ruthenberg, as well as the present leader of our Party, William Z. Foster, were able to rid themselves and our movement of the old ballast of opportunism only by coming closer to Leninism and into the Comintern * * * (p. 239).
>
> It was Comintern advice and guidance that helped the American Communists to turn full face to the building of a left wing in the reformist unions beginning with 1920; it was the advice of the Comintern that helped formulate a correct solution to one of the basic problems of the American proletariat—the organization of the unorganized into trade unions; it was advice of the Comintern on independent leadership of the economic struggles by the revolutionary elements that helped formulate strike policies and tactics; * * * (p. 240).
>
> Comintern influence on the development of revolutionary trade union policies in the United States has especial significance. * * * It is significant, therefore, that the first question which Comrade Stalin put to the American trade union delegates was: "How do you account for the small percentage of American workers organized in trade unions?" * * * the intent of Stalin's question is clear: Why don't you organize the workers in trade unions? Why don't you strengthen them

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[45] Bittelman's attempt to explain away control by the Comintern is not in accord with the facts. From the record as a whole, it is apparent that the Comintern in fact dominated and controlled Respondent under conditions whereby Respondent could not exercise its own volition in any major respect. An example is furnished, among many, by Kornfeder's expulsion from the Party for failure to follow the instructions of a Comintern representative. See p. 60 herein. Cf. Nowell's trial by the Comintern for opposing the Negro policy of the Comintern, pp. 75–76.

> against the capitalists? (pp. 240–241). And it was in this direction that the Comintern threw the full weight of its influence and advice in the American labor movement. * * * Tactics and methods of work might vary, depending upon the state of the class struggle. * * * But the strategic aim always remained the same, and for this aim the Communist Party fights bravely and persistently and with increasing effectiveness. * * * So, we ask again: can any American worker, who is alive to the needs of his class and is willing to fight for them, find anything to object to in this "interference" of the Communist International in American affairs? And will he object to the Communist Party of the U. S. accepting and taking deep satisfaction in such "interference"? No, he will not * * * (p. 241).

And concerning the matter of national liberation, the article includes:

> Once more came the "outside" influence of the Comintern, and what did it say? It said that the struggle against discrimination and for Negro rights is a revolutionary struggle for the national liberation of the Negroes, that we must fight for complete Negro equality, and that in the Black Belt the full realization of this demand requires the fight for the national self-determination of the Negroes, including the right to separation from the United States and the organization of an independent state. Furthermore, it was the interpretation of Leninism and its application to the United States as made by the Comintern that showed the American Communists that the agrarian revolution in the Black Belt, * * * is the basis of the national-liberation movement and that this movement is one of the allies of the American proletariat in the struggle for the dictatorship of the proletariat. * * * Will the Negro workers, farmers, and city poor consider the Comintern advice on the Negro question 'outside dictation'? No. They will, as they actually do, receive this advice with outstretched arms and will continue in every-larger masses to rally around the Communist Party as the leader of the liberation fight * * * (ibid., p. 244).

A review of Respondent's early documents and the testimony of witnesses who were officials of Respondent during its formative years, establish that Respondent gave to trade unions, youth, and minorities as prominent a place in its structure as did the founders of the dictatorship of the proletariat in the Soviet Union. Respondent's articles, publications and other documents, together with the testimony of witnesses, show that throughout its existence and up to the time of this proceeding, Respondent has continued to give importance to trade union work, the mass organization and training of youth, and the struggle for national liberation of the Negroes. It is not necessary to review herein the considerable quantity of evidence that shows the extent of Respondent's policies and activities in furtherance of the world Communist trade union, youth, and national liberation movements; nor to review the large quantity of evidence from which we find that these policies and activities of Respondent represent to a substantial degree the continued following and adherence by Respondent to unrepudiated directives given by the Soviet Union. We limit this report to some of the more significant indications. For clarity, we treat the subjects separately. The evidence hereinafter set forth is in addition to the fact, which we find, that Respondent's policies and activities with trade unions, with youth, and in the struggle for national liberation are based upon and adhere to Marxism-Leninism.

(*a*) Trade-Union Work

In 1927, Benjamin Gitlow, at the time a member of the Politburo of Respondent and its Central Committee, was sent by Respondent to the Soviet Union at the special request of the Communist International to attend the Plenary sessions of the Executive Committee of the Communist International. While there, Gitlow, and other leaders of Respondent, met with Joseph Stalin at Stalin's office at the Headquarters of the Central Committee of the Communist Party of the Soviet Union. Stalin directed the Communist Party to make a very serious effort, among other things, to get a foothold in the trade-union movement of the United States, in order to attract to the Communist Party a much larger membership, and to await a sharpening of the economic and social situation in the United States for future revolutionary action.

It will be noted that Stalin's statement is in line with the policies of Marxism-Leninism and of the Comintern, to which we have previously referred. The record shows that Respondent has continuously and consistently placed major emphasis on trade-union work to build up the Party and to aid in what Respondent sometimes calls the "class struggle."

Petitioner's witness Nowell in 1929 received instructions from the Central Committee of Respondent concerning an elaborate program, later adopted at the founding convention (which Nowell attended as a representative) of a national parent organization—Trade Union Unity League—affiliated with the Red International of Labor Unions in Moscow, for organizing industrial workers in basic industries as well as to foster Communism in unions and for facilitating the proletarian revolution. In 1935, Nowell was instructed as an official of Respondent to gain control of local unions for the purpose of gaining hegemony of the C. I. O. After certain strikes in 1936, Respondent counted on the C. I. O. as part of the People's Front movement to influence United States home and foreign policy in conformity with the International People's Front movement outlined by Dimitroff in his Seventh World Congress speech and resolutions in August 1935.

The official minutes of the proceedings of Respondent's governing committees for a number of meetings during the period from late in 1925 to late in 1928 were put in evidence by Petitioner. Many of these minutes show action by Respondent concerning trade-union work pursuant to specific instructions and directives from the Communist International. (Examples are Petitioner's Exhibits Nos. 53, 63, 65, 77, 80, 87, and 91.)

The record shows that Respondent's tactics in its trade-union work have been changed at least three times pursuant to directives of the Communist International and to effectuate the policies of the Communist International. Originally, the policy was to operate in existing unions. This was changed in 1928 to a policy of concentrating on forming new unions. In 1934, the policy reverted to one of operating in existing unions. This policy is still in existence as established by the evidence herein reviewed. Respondent's united-front program in the trade-union field which presently receives considerable attention from Respondent, originated with the Communist International. As expressed in the aforementioned article by Alexander Bittelman:

> * * * In short, at every stage in the development of the revolutionary trade-union movement in the United States (TUEL, class struggle unions of the TUUL, the application of the united front on the trade-union field, the fight for trade-union unity, etc.), it was with the help of the Comintern that the American revolutionary workers were able to find the correct way, to correct their errors, and, through manifold changes in tactics, to press on to the goal of building a revolutionary trade-union movement in the United States (Pet. Ex. 126, p. 240).

Petitioner's witness Kornfeder taught a course at one of Respondent's schools at the national headquarters in New York in 1932 which covered Communist labor-union tactics and strategy, including the organization of secret groups inside of labor unions for the purpose of gaining control of such unions, and the preparation and conduct of strikes.[46]

At its national convention in 1950, respondent resolved:

> We must face the fact that the overwhelming bulk of the organized workers in the country are in the A. F. of L., C. I. O., and independent Right-led unions. It is this which must determine the main direction of all of the Party's work, and especially its trade-union and industrial concentration policy (Pet. Ex. 378, p. 13).

In May 1940, Respondent published in its magazine, *The Communist*, an article by Dennis, then and now a high official of Respondent, entitled "The Bolshevization of the Communist Party In The Struggle Against The Imperialist War," which states it is particularly urgent, in accordance with certain conditions outlined by Stalin in *Pravda* in 1925, to conduct more consistent and effective activity among the A. F. of L. Workers.

An article by Henry Winston appearing in *Political Affairs* for September 1948 (Pet. Ex. 418), entitled "For a Fighting Party Rooted Among the Industrial Workers," was used in discussions at Party Club meetings in October and November 1948, attended by witness Matusow. The article concerns the necessity for mobilizing the workers in the factories as a main base for a successful fight against war and fascism. In a subsequent discussion of the article with witness Matusow, the writer, Winston, said that the question of industrial concentration and the movement of young people, members of the Communist Party youth movement, to basic industries was important at this time because in the event of any "imperialist war" it would be necessary to have people in basic industries to mobilize the workers against such war in an effort to slow down production and to do anything possible to see that such an "unjust war" should not be successful. The writer, Winston, is a member of Respondent's National Committee and was the National Organizational Secretary.

The February 1951 issue of *Political Affairs* (Pet. Ex. 376) "devoted to reports, speeches, and greetings of the 15th national convention of the Communist Party, USA, held in New York City on December 28–31, 1950," contains an article by John Williamson entitled "The Main Direction of the Party's Trade-Union Work" (pp. 54–73), which direction, the author says, must be "among the members of the reformist-led unions" (primarily the A. F. of L. and C. I. O.) (p. 66). The article refers to the role of the Party through its thirty-one years existence and concludes that "in general, the trade-union policies adopted by our Party were correct" (*ibid*, p. 72). According to Williamson:

> The present situation demands from all Party trade unionists, especially in positions of leadership, closer ties with the Party, better understanding of policies, and a more vigorous fight for Party policies among the masses (*ibid.* pp. 72–73).
>
> * * * * * * *
>
> We know * * * our Party, headed by its helmsmen Foster and Dennis, will lead the working class safely to the port of Socialism (*ibid*, p. 73).

Petitioner's witness Janowitz was a member of Respondent both during the period it was called the Communist Political Association and after it reverted to the name Communist Party. He joined in

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[46] His course also included one in Leninism, including the main doctrine calling for the total and complete overthrow of all existing social institutions, the government, and organizations which support the government, as well as the complete elimination of the present state structure and the substitution of a dictatorship led by the Communist Party.

1943 and was still a member at the time he testified in this proceeding. He held minor official positions and was active in Respondent's trade-union work in Ohio. He and one Fred Haug, at a meeting of Communist labor members in 1950, were assigned the duty of getting new members for the Party. Also in 1950, at a meeting of a Communist Party group at the plant where Janowitz was employed, a state official of Respondent handed out copies of *New Times*, published by the newspaper *Trud* in Moscow, and of *For a Lasting Peace, for a People's Democracy*, official organ of the Cominform. The official told the labor members to read and study the documents and pass them on. These documents contain articles which strongly condemn the United States while praising the Soviet Union (Pet. Exs. 412 and 413). On the basis of his experience in the Party, Janowitz learned that the Communists are to take advantage of every opportunity that arises to lead the masses, whether it be through depression or strikes or anything else, and are to be the leaders in any movement that unites the masses for the purposes of "getting rid of the capitalist system in America," and substituting Communism.

Petitioner's witness Evans attended a regional convention of Respondent in 1951 where a talk was made concerning the policy of industrial concentration and Communist work in trade unions. The witness describes the talk as including reference to the necessity of infiltrating the different unions, especially the key unions. His best recollection is that the speaker actually used the word "infiltrating." Similar evidence is furnished by Petitioner's witness Cummings who was taught in Respondent's schools in 1945 that to infiltrate trade-union movements was one of the primary objectives of Respondent.

We have previously referred to the supervision of Respondent's activities by foreign representatives in the United States. In trade-union work, the record shows that Petitioner's witness Kornfeder, while an official of Respondent, disagreed with the change in trade-union policy in 1934 and was expelled for failure to heed Gerhardt Eisler, a foreign representative, who told him not to voice his disagreement. Witness Honig in the early 1930's was given instructions by a Communist International representative in the United States concerning his Party assignment as editor of a publication called *Labor Unity*.

Members of Respondent have in the past been sent to the Soviet Union where they received schooling and instructions regarding trade-union policies and activities. Four of the witnesses in this proceeding had this experience. Witness Nowell was taught trade-union and strike strategy at the Lenin School in Moscow in 1931. Witness Honig was sent by Respondent to Moscow in 1932 where he remained until 1935. While there, he studied the operations of the Soviet trade unions and helped the Communist International to formulate policies to be carried out by Respondent in the trade-union field. Honig sent back to Respondent reports on decisions made by the Communist International or its affiliated Red International of Labor Unions with headquarters in Moscow, on such things as where the Respondent was to step up its activities and try to produce strikes and try to capture control of unions. The Respondent reported back to Moscow commenting on the instructions it received to the effect that the Party had been attempting and believed it was succeeding in carrying out these directives.

The record shows that under Marxism-Leninism, as well as the Communist International and the Soviet Union, the incitement to strike is a tactic of labor union policy and activity. In the late 1920's, a special committee was created by Respondent in an attempt to gain control of the United Mine Workers by utilizing anthracite strikes to Respondent's advantage. In 1934, the Comintern and the Red International of Labor Unions at joint meetings in Moscow, instructed Respondent to press the current situation among the longshoremen and dockworkers in San Francisco to the point of a general strike. These instructions were communicated to Respondent by coded message and were carried out. Manuilsky, then secretary-general of the Communist International,[47] expressed himself as anxious to have the strike since a cardinal principle of Leninism was that a general strike is a rehearsal for revolution or for a seizure of power by the Communist Party.

A strike meeting was called at the Fisher Body Plant in Cleveland in the 1930's at the direction of the Communist International representative, Gerhardt Eisler. In 1940, Respondent instigated a strike at Allis-Chalmers in order to slow down the production of war materials for Great Britain, then at war with the Soviet Union's then ally, Germany. In 1941, Respondent instigated and led a strike conducted by the aircraft division of the United Auto Workers at the North American Aviation Co. in California.

(*b*) Youth Work

As in the case of Respondent's other policies, activities, and programs, we have taken into consideration in arriving at our determinations regarding Respondent's youth work, the fact that Respondent has republished in the United States and uses as textbooks and guides to action, many of the documents, publications, and writings of leading officials of the Soviet Union and organs under its control, such as the Communist International. We have also taken into consideration the fact that various members of Respondent have been trained in the Soviet Union and that some of its present top officials were intimately connected with the Communist International.

The evidence clearly preponderates to establish that while it was a part of the Communist International, Respondent's youth policies were formulated and carried out and its activities performed pursuant to directives of the Communist International. A decision of the Comintern in 1926, contained in the "Resolution on the American Question" and requiring greater attention to the building of a mass Young Communist League and pioneer movement was distributed by Respondent's general secretary to all District, City, Section Committees, and Language Bureaus of the Party.

A resolution of Respondent's Central Committee wholeheartedly approved the decisions of the Seventh World Congress of the Comintern in 1935 "to build the widest anti-fascist youth front through the world." The Central Committee in its resolution called upon the Party to do all in its power to help the Young Communist League accomplish a change in its character indicated by the Sixth World Congress of the Young Communist International and which had subsequently been approved by the Communist International.

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[47] Manuilsky in 1945 was Soviet representative to the initial United Nations conference on international organization held in San Francisco.

The minutes of various top committees of Respondent for the period from October 1925 through November 1938 disclose guidance by Respondent of the Young Communist League in the United States on the basis of directives from the Communist International (examples are Pet. Exs. 58, 71, 72, 73).

Additional evidence as to foreign direction of Respondent's youth policies and activities is furnished by Alexander Bittelman's pamphlet issued in 1932 entitled, "*The Communist Party in Action*" (Pet. Ex. 144) and by Respondent's *Manual on Organization of the Communist Party* (Pet. Ex. 145). In the pamphlet entitled "*The Way Out,*"[48] issued by Respondent in 1934, the Young Communist League is defined as the mass political organization of young workers which leads them in the struggles for their demands and acts as a training school for Communism. It is organizationally independent of the Communist Party, but acknowledges its political leadership and is affiliated with the Young Communist International.

The record establishes that the Young Communist League in the United States was dissolved in 1943 (when the Communist International ceased to exist) and that in its place the American Youth for Democracy was formed as what is known by Communists as a coalition group, being composed of both members and nonmembers of the Communist Party. It was technically a non-Communist organization, formed as a win-the-war organization designed to recruit and influence as many young people as possible for the Respondent Party. Witness Philbrick, a member of Respondent, was State Treasurer of the American Youth for Democracy and one of its leaders. Witness Matusow joined the American Youth for Democracy in 1946 and through his associations therein became a member of Respondent in 1947. He continued to be active in Respondent's youth work and in 1949 assisted in the formation of a new Marxist-Leninist youth organization in the United States—the Labor Youth League. The plan of Respondent which was carried out was to disband all Communist youth clubs and to transfer their leadership to the Labor Youth League under Respondent's leadership. Among the books used by the educational committee of the Labor Youth League for training its members are: *Twilight of World Capitalism*, by William Z. Foster; *The Tasks of Youth*, by Stalin; and *The Young Generation*, by Lenin.

In view of the policy of the world Communist movement for the mass organization of youth organizationally independent of the Party, and in view of the various directives issued to Respondent, all as heretofore set forth, the following quotation from an article in *Political Affairs* for February 1951 (Pet. Ex. 376) is relevant to the issues herein:

> This Convention [15th Natl. Convention, Dec. 1950] reflects real progress in our youth work and better undertanding of our Party policy in this field.
>
> * * * * * * *
>
> The 1948 Convention of our Party gave important emphasis to the need of establishing a non-Party working-class youth organization dedicated to the training of the youth in the spirit of socialism.
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> * * * * * * *
>
> The recent founding Convention of the Labor Youth League * * * has made a deep impression on our whole Party. In this short time the League has proven

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[48] Manifesto and Principal Resolutions adopted by the Eighth Convention of the Communist Party of the USA, held in Cleveland, Ohio, April 2-8, 1934 (Pet. Ex. 136).

> itself to be a worthy heir of all the best traditions of the Young Communist League, its 25-year record of struggle and its training of many of the outstanding leaders of our Party today * * * (p. 175).
>
> * * * * * * *
>
> Experience has borne out fully the correctness of establishing L. Y. L. as an independent non-Party mass youth organization. The best answer to those comrades who two years ago thought Party youth clubs filled the need for youth work are the thousands of non-Party members of L. Y. L. who are today participating in its activities and learning in a Marxist spirit (p. 180).

Other contents of this article are pertinent for comparison with the principles of Stalin and of the Communist International, as previously herein set forth, that a matter of decisive importance in the proletariat's fight against imperialist wars is the work among the youth. This 1951 article says:

> There can be no fully effective fight for peace without waging a struggle against the militarization of youth * * * (p. 176).
>
> * * * * * * *
>
> It follows that these are some of the most immediate issues around which our Party must develop an energetic struggle.
>
> 1\. No extension of the draft to 18-year olds, veterans and married men. No lengthening of the draft service term. No universal military service and training (p. 178).

Particularly significant for comparison with the foregoing evidence as to respondent's present policy concerning work among the youth as part of the fight against imperialism, is the resolution passed by the Communist International in 1928 entitled "The Struggle Against Imperialist War and the Tasks of the Communists" (Pet. Ex. 148), which says the greatest efforts must be exerted—not only by the youth organizations, but by all Communists—in combating bourgeois sport organizations, fascist organizations, military schools, etc., through which the bourgeoisie are training the youth for imperialist wars. Also, it is stated that bourgeois military training of the youth must be combated.

The obligation which the Sixth Congress of the Communist International (1928) placed upon all Communist Parties to assist in setting up Youth Leagues was approved by Respondent's publication as late as 1950, of an article in *Political Affairs*, entitled "A Generation of Soviet Youth," which refers to such obligation as still authoritative on Party members (Pet. Ex. 477, pp. 85–95). In this article, the author holds up Lenin and Stalin as models for youth and, after reviewing the role which youth played in bringing about the establishment and consolidation of the dictatorship of the proletariat in Russia, pictures the lot of the Soviet youth under such dictatorship as one of security, free from unemployment, and with the right to leisure, whereas in sharp contrast the American youth must face the constant fear of unemployment under the scourge of American capitalism. In conclusion, the author declares that solidarity with the Soviet Union and appreciation of its leading role in the struggle for peace, democracy, and socialism, become the touchstones of true internationism among young people of all countries; and that it is particularly important in the United States—the center of world imperialism—to bring this wonderful understanding to the young people who are studying Marxism-Leninism and to the Party which helps to guide their youth.

The experiences and careers of various witnesses in this proceeding while engaged in youth work as members of Respondent furnish still further relevant evidence. While in Moscow in 1927 and 1928, witness Crouch as a member of Respondent and a representative of the youth organization, was directed to form in the United States joint units of the Party and the Young Communist League to work together in the Navy yards. He followed this and other directives upon his return to the United States and upon reporting to William Z. Foster and the national officers of the Young Communist League. In 1929, Crouch was a member of the National Young Communist League Secretariat and National Educational Director of the Young Communist League but upon orders given to the National Convention of the Young Communist League in 1929 by a representative from Moscow, Crouch was not elected National Secretary because of his previous support of Lovestone in the factional dispute of the Party.

Witness Meyer before coming to the United States was a member of the Communist Party in Great Britain, where he was active in work for the Young Communist League and was associated with the secretariat of the Central Committee of the British Young Communist League. In 1934, he went to Paris, France, in connection with setting up a world student and youth congress with counterparts in America and Great Britain. This work, while Meyer was in Paris, was under the direction of Walter Ulbricht, who at the time Meyer testified herein was Vice Prime Minister of Eastern Germany. Upon arrival in the United States in 1934, Meyer was assigned by "Gil Green" to youth work in the United States and during the summer of 1934 attended the convention of the Young Communist League of Canada together with "Gil Green" and a Max Weiss from the Young Communist League of the United States.

Witness Philbrick was a member of the Young Communist League for a couple of years before joining Respondent in 1944, of which he remained a member until 1949, continuing his duties in the Young Communist League and later the American Youth for Democracy. The meetings of the American Youth for Democracy which he regularly attended were conducted along the same lines as those held by the Young Communist League, which included training in organization, discussion of current activities on the part of young Communists in the group, and educational sessions on Marxism-Leninism.

Respondent's witness Gates joined the Young Communist League in 1931 to attain what he thought to be the answer to the "personal tragedy" of the depression (Tr. 12595–12603). His activities in the Young Communist League led to his attaining a position of leadership in Respondent, which he joined in 1933. He participated in League agitation for the Unemployment Insurance Act and about the Scottsboro affair (Tr. 12609–10). He says his duties and activities as head of the League in New York State were almost identical with the general activities of Communists during the period—activities by the young people of New York State on behalf of the economic welfare, democratic rights and peace. Later herein we deal with the evidence as to the ideological aspects of Respondent's trade-union, youth, and minorities work.

(*c*) *National Liberation*

We have previously herein referred to the fact that Marxism-Leninism, the Communist International, the Soviet Union, and the Communist Information Bureau give importance to what they call the national problem—the "world problem of emancipating the oppressed peoples in the dependent countries and colonies from the yoke of imperialism" (*Foundations of Leninism*, Pet. Ex. 121, p. 77). We have also noted that under Marxism-Leninism, the Comintern, the Soviet Union, and the Cominform, the "national problem" is applied to the Negroes in the United States on the theory that the Negro people in the Black Belt of the South constitute an oppressed nation within the territorial borders of the United States.

The record clearly establishes that a main "line" of Respondent is and has been what it calls the struggle for national liberation of the Negro people. This proceeding is concerned with whether or not the concept and application by Respondent of the theory as to the right of the Negro people in the Black Belt to self-determination is a program which Respondent arrived at independently.

Respondent's position in this respect is summed up by its witness, Dr. Aptheker, as follows:

> * * * I would stick to my answer that the Negro question is a national question, it is certainly not something dictated from abroad or by the Communist International. The Negro question is a national question, is a reflection of objective reality. If it is dictated, it is dictated by life (Tr. 14149).

Dr. Aptheker concedes that, although certain Negro leaders after the Civil War thought in terms of the concept of Negro nationalism, that was not known to the leaders of Respondent and was not used by Respondent in evolving its position on the Negro question. Also, that at the time the policy of self-determination of the Negro people and the Black Belt was enunciated by the Party, it was not the policy advocated, in the developed sense at least, by the majority of the Negro people or a majority of their leaders.

In the early 1930's, the Executive Committee of the Communist International drew up and passed certain resolutions concerning the Negro question in the United States which were sent to Respondent to be carried out. These resolutions established the line of the Communist International to be a demand for self-determination of the Negroes in the United States in the form of unconditional autonomy-separation, or secession from the United States and the establishment of a separate Negro government in the Black Belt of the South. As explained by witness Nowell and corroborated by the copy of the resolution in evidence, if no proletarian revolution has occurred, Respondent is to support the rebellious government of the Negro republic in its opposition to the Government of the United States, in order to weaken the Government of the United States and aid Respondent in precipitating and executing the proletarian revolution. During Nowell's membership in the Party, definite steps were taken to execute this program.

As a member of Respondent, witness Nowell attended the Lenin School in Moscow in 1931, where he was taught that the Negro question in the United States was a part of the colonial question; that the foundation of the colonial problem was imperialist exploitation by the mother countries; that the Communists were to help colonial countries break themselves away from their mother countries, thereby weakening the mother countries and thus aiding the proletariat and the Communist Parties in those countries to precipitate and carry through a proletarian revolution and the establishment of a communist dictatorship. Witness Nowell was disciplined while in the Soviet

Union for voicing disagreement with the theory and demand for separation and secession by the Negroes from the government of the United States and the establishment of a separate government.

Witness Johnson was active in Respondent's Negro work during his membership from 1930 to 1940. In 1932, he attended respondent's National Training School in New York City, where his instructors included William Z. Foster, Gilbert Green, Jack Stachel, Max Bedacht, and others who are presently leaders of the CPUSA. At the school he was taught by a member of Respondent's Central Committee that members of the Party were to work for equal rights for Negroes, which included specifically the right in the Black Belt to rebel and wage civil war to form an independent autonomous Soviet Republic; that the movement toward the establishment of this autonomous Negro Republic should be guided and steered in such a way by the Negro Communists that it would take place simultaneously with the general proletarian or Communist revolution in America. Johnson, who became a Negro member of Respondent's Central Committee, subsequently lectured in the school and before Party meetings and study groups on this program.

In its "*Manual On Organization*," first issued in the 1930's, Respondent said the Negro people are "the other important ally" in speaking of those that the proletariat must win to its cause, and "without whom there cannot be a successful revolution." (Pet. Ex. 145, pp. 14 and 15). The *Manual* quotes the following from an "Open Letter" adopted by Respondent's Central Committee in 1933:

> The Party must mobilize the masses for the struggle for equal rights of the Negroes and for the right of self-determination for the Negroes in the Black Belt. It must ruthlessly combat any form of white chauvinism and Jim-Crow practices. It must not only in words but in deeds overcome all obstacles to the drawing in of the best elements of the Negro proletariat, who in the recent years have shown themselves to be self-sacrificing fighters in the struggle against capital * * * (*ibid.* pp. 15 and 16).

Witness Cummings was a member of Respondent from 1942 to 1949. He attended one of Respondent's training schools and many of Respondent's meetings. He also read Party literature. He was taught that the primary objective of Respondent was "to infiltrate trade-union movements, Negro organizations, and any organizations that we were able to get into and take control of, to eventually change the system of American Government."

Benjamin Davis, National Committee member, in his report to Respondent's 15th Convention, held on December 28–31, 1950, in New York City, said an important feature of the Negro liberation movement is "the international significance of this question" (Pet. Ex. 379, p. 12); that the "Party's line on the Negro question is a Leninist-Stalinist principle and method of work" (*ibid.*, p. 19); and that—

> Tendencies to treat the Negro people as mere victims of oppression, without seeing their unique positive and revolutionary role in the struggle against capitalist reaction, are a patronizing form of white chauvinism (*ibid*, p. 19).

John Williamson, in a report to the 15th National Convention of Respondent in December 1950, pointed out that "the cause of the working class as a whole cannot advance unless a firm alliance is established with the Negro people and unless the working class assumes its full responsibility in support of the struggle of the oppressed Negro nation for freedom" (Pet. Ex. 376, p. 69). Jim Jackson, another of Respondent's leaders, puts it as follows:

> The development of higher levels of the Negro national revolutionary struggle in the Black Belt, and the broad mass movement for democratic rights in the South as a whole, is an indispensable prerequisite for insuring the victory of the working class and the American people over the menacing challenge of the ruling-class forces of fascism and war *presently,* and for working-class victory over capitalism *ultimately.* This is a basic fundamental in the strategy for working-class victory, and a special feature of the path to the triumph of Socialism in our country (Pet. Ex. 376, p. 119).

An article in *Political Affairs* for January 1951, entitled "Working Class and People's Unity for Peace! (Main Resolution of the 15th National Convention, CPUSA)," characterizes the Negro people as a "tremendous reservoir of strength for the whole democratic movement" (Pet. Ex. 378, p. 11) and states:

> Because U. S. imperialism is compelled to cloak with demagogic phrases about democracy and equality its drive for world conquest, particularly its military assault against the colonial liberation movement in Asia, the Negro question tears the mask off Wall Street's real face and assumes the greatest international significance (*ibid*, p. 17).

(*d*) Ideological Versus Political Aims

The foreign-evolved policies, activities, and programs for the carrying out of the world Communist movement, as set forth by the Soviet Union through Marxism-Leninism, the Communist International and otherwise, teach and sanction activities calculated to achieve reforms. The record shows that Respondent has campaigned for and championed reforms such as shorter working hours, nonmilitarization of youth and Negro rights. However, the record shows that such activities are political and only incidentally ideological; that the campaigns are primarily carried out not for the ostensible objective of the campaigns but to aid in the accomplishment of the objectives of the world Communist movement.

In addition to the evidence hereinbefore set forth concerning the true purposes of Respondent's trade union work, youth work, and national liberation activities, the following is pertinent.

Petitioner's witness Evans, chairman of a Party club, delegate to a Party regional convention in 1951, and section educational director in 1951, states, on cross-examination as to recent Negro rights activities of his Party club, that a study of Communist tactics and of Communist strategy will refute the declaration that the interest of the Party in the fight for Negroes is focused upon the individual; he shows that, in effect, the fight for Negro rights is an effort by the Party to make the Negro a useful means of helping the Party obtain the victory of socialism.

Foundations of Leninism points out that the necessity for the proletariat to support the national liberation movement of the oppressed and dependent countries does not mean everywhere and always, in every single concrete case, but only where the national movement tends to weaken, to overthrow imperialism, and not to strengthen and preserve it (Pet. Ex. 121, p. 79).

Respondent's publication *The Communist Party In Action,* written by one of Respondent's present leaders, Bittelman, in 1934, says the importance of the daily struggles concerning "small" grievances must not be underestimated, and quotes the Communist International as stating in effect that only by conducting everyday struggles can the Party achieve a united front and lead the working class to a victorious dictatorship of the proletariat (Pet. Ex. 144, pp. 43–44).

In 1924, Stalin wrote in *Foundations of Leninism:*

> Some think that Leninism is opposed to reforms, opposed to compromise and to agreements in general. This is absolutely wrong. Bolsheviks know as well as anybody else that in a certain sense "every little bit helps," that under certain conditions reforms in general, and compromises and agreements in particular are useful * * *.
>
> Obviously, therefore, it is not a matter of reforms or of compromises and agreements, but of the use people make of reforms and compromises * * *.
>
> To a revolutionary, * * * the main thing is revolutionary work and not reforms: to him reforms are byproducts of the revolution * * *.
>
> The revolutionary will accept a reform in order to use it as an aid in combining legal work with illegal work, to intensify, under its cover, the illegal work for the revolutionary preparation of the masses for the overthrow of the bourgeoisie (Pet. Ex. 121, pp. 103–4).

(*e*) Conclusion As To Major Programs

Our summary of the evidence concerning trade-union work, youth work, and work among the Negroes, does not include all of the evidence relevant to these subjects. On the basis of the foregoing and upon the entire record, we find and conclude that early in its existence Respondent accepted these policies and programs and has continued to follow them and has not repudiated them; that Respondent's trade-union work, youth work, and national minorities work could only have as their aim the effectuation of the policies of the Soviet Union with respect to the world Communist movement; and that Respondent's policies and activities in these fields are substantially formulated, carried out, and performed, pursuant to directives of the Soviet Union.

8. *Conclusions as to Foreign Policies and Directives*

In view of the findings and conclusions hereinbefore set forth in this section of our report, we find and conclude that:

1. Respondent's organizational form is based upon instructions and directives issued by the Soviet Union;
2. Respondent's organizational policies are formulated and carried out to effectuate the policies of the Soviet Union and the world Communist movement;
3. A substantial number of Respondent's leaders have accepted the views and policies of the Soviet Union concerning the advancement of the objectives of the world Communist movement, and have made such views and policies the views and policies of Respondent;
4. Marxism-Leninism, as understood, used, and followed by Respondent, consists of a body of doctrine, policies, strategies, and tactics intended to bring about the end of capitalism and to substitute for it a dictatorship of the proletariat; it has been promulgated and issued by the Soviet Union as the overall philosophy, authoritative rules, directives, and instructions governing the world Communist movement;
5. Among other things, by the acceptance and following of the organizational devices of democratic-centralism and self-criticism,

as these devices are defined and explained by the Soviet Union, and by the acceptance of and adherence to Marxism-Leninism, Respondent subjects itself to the authority of the Soviet Union;

6. Respondent throughout its existence has and does at the present time teach, advocate, and carry out activities having for their objective the overthrow of the United States Government and other governments which are designated as "imperialist" by the Soviet Union, pursuant to directives of the Soviet Union and to effectuate the policies of the Soviet Union, all for the purposes of defending and protecting the Soviet Union and of establishing in the United States (and other countries) a dictatorship of the proletariat patterned after that in the Soviet Union;

7. Respondent has established a press in the United States patterned after that in the Soviet Union which operates as a means of setting forth for Respondent's members the correct line as laid down by the Soviet Union;

8. The press in the Soviet Union and the journal of the Communist Information Bureau are major communication means whereby directives and instructions of the Soviet Union are issued to Respondent;

9. Representatives of the Soviet Union who were sent by it to the United States have been instrumental in putting or keeping in power leaders of Respondent, devotedly loyal and subservient to the Soviet Union, who have continued to be and still are Respondent's leaders; that such representatives have on behalf of the Soviet Union directed the adoption and use of a number of the Respondent's present policies and activities;

10. Among the major programs set forth by the Soviet Union for the accomplishment of the objectives of the world Communist movement are trade union work, youth work, and work with national minorities; and, pursuant to requirements of the Soviet Union, Respondent has made these its major programs in the United States and carries out such programs pursuant to directives issued by the Soviet Union, for the purposes of effectuating the policies of the Soviet Union and advancing the objectives of the world Communist movement;

11. Respondent's policies are formulated and carried out and its activities are performed pursuant to directives of, and to effectuate the policies of, the Soviet Union, which directs and controls the world Communist movement.

C. NONDEVIATION

Section 13 (e) (2) of the Act provides that the Board shall take into consideration "the extent to which its [Respondent's] views and policies do not deviate from those of such foreign government or foreign organization."

The petition alleges, in part, on this subject:

> Throughout its existence the Communist Party never knowingly has deviated from the views and policies of the government and Communist Party of the Soviet Union, the Communist International, the Communist Information Bureau and other leaders of the world Communist movement. Whenever such views and policies have conflicted with the position taken by the Government of the United States, the Communist Party has opposed the position of the United States.

Dr. Philip E. Mosely, Professor of International Relations at Columbia University and Director of the University's Russian Institute, was Petitioner's principal witness for the purpose of establishing that Respondent's views and policies do not deviate from those of the Soviet Union. Dr. Mosely has had a distinguished and active career in the field of international relations and for more than 20 years has devoted his research primarily to Russian political and diplomatic history. While so doing, he has had occasion to analyze carefully the publications and other documents issued by Respondent and the Soviet Union. He is eminently qualified to testify as an expert on evidence relative to the "nondeviation" criterion of the Act.

Dr. Mosely's testimony traced the continuing stream of international questions, upon which both the Soviet Union and the CPUSA have announced a position. He enumerated some 45 international questions of major import,[49] extending over the past 30 years, with respect to which there was, as revealed by his testimony, no substantial difference between the position announced on each by the Soviet Union or its official and controlled organs and that announced by the CPUSA or its official and controlled organs.

On each specific topic, several exhibits illustrating the views or policies of the Soviet Union and the CPUSA, respectively, were introduced contemporaneously with Dr. Mosely's oral testimony.

At the hearing, Respondent moved to strike Dr. Mosely's testimony and objected to the admission into evidence of the exhibits offered through this witness on the grounds that: (1) basing a registration order thereon would violate the First Amendment; (2) to base a finding of domination and control thereon would violate the Fifth Amendment; (3) it was not proved that the Soviet Union adopted its views first; (4) Respondent was not allowed proper cross-examination; (5) Dr. Mosely was disqualified as an expert; and (6) exhibits purporting to be translations from the Russian language were not properly authenticated.

Additional objections also raised at the hearing were that specific documents (a) predated the Act;[50] (b) pertained to subjects not covered in the petition; (c) were not shown to express authoritative views; (d) did not establish a parallel view; (e) did not support allegations of the petition; and (f) did not support Dr. Mosely's testimony.

We have reviewed the entire record relative to all of the aforementioned contentions of Respondent. Those pertaining expressly to Constitutional issues will be treated later in this Report under "Legal Discussion."[51] Viewing the record in a light most favorable to Respondent, we find no error in the Panel's acceptance of this particular evidence or in its rulings with respect thereto.

Passing to its exceptions, Respondent took issue in the manner described heretofore (pp. 2–3, *supra*) with every statement in the Panel's decision concerning nondeviation. These exceptions are generally contentious, lacking in specificity and without merit; and, except to the extent that they pertain to matters discussed below or are incorporated in our findings, they do not warrant further comment.

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[49] Among these are the following: the League of Nations; Soviet Union purge trials, 1937; Russo-Finnish War, 1939; Russian invasion of Poland, 1939; Hitler-Stalin nonaggression pact, 1939; attitude toward World War II before and after German attack on Soviet Union; incorporation of Latvia, Estonia, and Lithuania into the Soviet Union, 1940; second front in Europe; dissolution of Communist International, 1943; revision of Montreux Convention, 1946; Communist movements in Bulgaria, Roumania, Hungary, Albania, China, Czechoslovakia and Yugoslavia; Berlin Blockade, 1948; West Germany; Italian election, 1948; North Atlantic Pact; control of atomic energy; election of Yugoslavia to United Nations Security Council, 1949; Cardinal Mindszenty case, 1949; United Nations police action in Korea; Communist China's intervention in Korea, 1950; seating Communist China in United Nations; Peace Treaty with Japan, 1951; and peace in Korea.

[50] We discuss the question of pre-Act evidence later in this Report under the caption "Legal Discussion," pp. 128 to 132, *infra*.

[51] See pp. 131 and 132, *infra*.

In its brief accompanying its exceptions, Respondent contends that the Panel's concept of the nondeviation criterion is (a) irrational, erroneous, and based on incompetent evidence, and (b) involves conclusions which Dr. Mosely admitted he could not draw. Respondent further asserts that the Panel's misconception in this regard is reflected by rulings which prevented it from showing on cross-examination of Dr. Mosely and in its affirmative case that its views preceded those of the Soviet Union, were correct and reasonable, were arrived at independently by Respondent, and coincided with universal opinion and the best interests of the American people.

With regard to these contentions, we find no material error or irrationality in the Panel's conception of this criterion. We likewise find no merit to the contention that the Panel reached a conclusion which the witness Dr. Mosely admitted he could not make. Dr. Mosely stated in effect that his expert testimony was directed toward analyzing the basic line of thinking, analysis and advocacy of views and policies of the Soviet Union and Respondent and not at the process by which Respondent arrived at a given position on an international question, i. e., whether independently of the Soviet view or as a result of Soviet domination and control of Respondent. We do not understand this to conflict with, or detract from, the purport of his testimony. Whether the oral and documentary evidence adduced through Dr. Mosely tends to establish domination and control of Respondent when viewed with the evidence of record in the light of the other criteria of Section 13 (e) of the Act is for the Board's determination.

With respect to the remaining contentions related above, we conclude that Respondent was permitted reasonable opportunity to cross-examine Dr. Mosely and to establish its affirmative case. It is noted in passing that Dr. Mosely was cross-examined for 15 days. Respondent was not permitted, and rightly so, to put in issue the merits of the views or policies of Respondent, which views and policies were placed in evidence by Petitioner to establish "nondeviation." For in applying the "nondeviation" criterion, the Board is required to view cumulatively the spread of the evidence relating to the nondeviation of views and policies without deciding the merits of any views or policies of Respondent.

Respondent has contended throughout that the term "nondeviation" as used in the Act should be interpreted to mean "following a course already established" and that since a substantial number of Petitioner's exhibits illustrating the view or policy of Respondent predated the exhibits expressing the Soviet view or policy, these exhibits did not show that Respondent adopted a previously established view of the Soviet Union but the contrary. Assertedly, this consideration was reinforced by the absence of proof by Dr. Mosely to establish that the announcement of the Soviet view had preceded the Respondent's expression on the same topic.

Petitioner, on the other hand, took the position at the outset of Dr. Mosely's testimony, and in advance of the raising of this objection by Respondent, that the exhibits under discussion were offered in evidence merely to illustrate the oral testimony of Dr. Mosely on the respective international questions, in order to show a documentary basis for his testimony; and that the documentary evidence was not intended to establish the date of the first announcement thereon by either the Soviet Union or the CPUSA. Petitioner further argued that in many instances the Soviet view or policy must necessarily have come first, particularly since the first announcement of the Soviet Union's position may have taken the form of a fait accompli, as for example, its unexpected signing of the Hitler-Stalin nonaggression pact.

As stated by Petitioner, these exhibits were placed in evidence to afford a documentary basis for the testimony of Dr. Mosely and not to establish the first announcements of views and policies. Moreover, we have considered Dr. Mosely's testimony with other evidence of record,[52] all of which establishes that Respondent invariably follows the views and policies of the Soviet Union. We do not believe, therefore, that the date sequence of the exhibits placed in evidence through Dr. Mosely is dispositive of whether Respondent's views and policies have deviated from those of the Soviet Union.

We now proceed to set forth our findings on the evidence established by Dr. Mosely and other witnesses relative to this criterion.

The nature of the evidence adduced through Dr. Mosely is illustrated by his testimony, and documents submitted through him, concerning the nonaggression Pact entered into by Hitler and Stalin, known as the Hitler-Stalin Pact of August 23, 1939. He established the identity of views between the CPUSA and the Soviet Union prior to the making of this Pact; the parallel attitude of the Soviet Union and the CPUSA toward World War II while this Pact was in effect; and the simultaneous change of policy on the part of the Soviet Union and the CPUSA after June 22, 1941, the date on which the Pact was abrogated by the German attack on the Soviet Union.

To further illustrate the evidence, it is established that prior to the making of the Hitler-Stalin Pact, Respondent, conforming to the position taken by the Soviet Union, had denounced Fascism in Nazi Germany as the main threat of aggression in the world and as the foremost danger to peace and democracy notwithstanding that the signing of the Pact by the Soviet Union on August 23, 1939, constituted a reversal of the anti-Fascist line and caused considerable consternation and defection among Respondent's leaders and members, Respondent immediately switched to the Soviet Union's position and hailed the nonaggression agreement as an important contribution to peace; when Germany invaded Poland, Respondent echoed the Soviet assertion that the Pact continued to be an important contribution to peace as it would limit the spread of war; and, further, that opposition to this territorial expansion was the work of warmongers; after the defeat of Poland, the Soviet Union and Respondent both took the position that England and France were guilty of prolonging the war; that the war was an "unjust" [53] and imperialistic war and that no country which hoped for peace should assist England and France. Respondent, like the Soviet Union, strongly opposed lend-lease aid by the United States to Great Britain. Immediately after the German attack on the Soviet Union on June 22, 1941, the latter reversed its position, and, almost simultaneously, Respondent did the same; both suddenly concluded that the character of the war had changed; World War II became in the eyes of both a "just" war; they urged that the "Allies" should have the support of the United States and of all freedom-loving people; they advocated aid by the United States to Great Britain and to the Soviet Union, and Respondent branded those in the United States who opposed such aid as agents of Hitler. Soon after the German attack on the Soviet Union, Respondent joined with the Soviet Union in demanding the opening of a second front "now," with the United States participating therein.

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[52] This consists of documentary evidence, and oral testimony of witnesses Gitlow, Kornfeder, Markward, Matusow, Budenz and others, as illustrated later in this finding.

[53] See discussion of "just" and "unjust" wars, pp. 126 to 127, *infra*.

The views of the Soviet Union and Respondent likewise coincided on the trials and executions in the Soviet Union in 1937; Respondent echoed the statements of the Soviet Union concerning the Russo-Finnish War; the same situation prevailed in regard to the absorption of Latvia, Estonia, and Lithuania by the Soviet Union. The Soviet Union and Respondent assumed the same position in 1947-1949 with regard to the internal crisis in Greece in that they both favored the actions of the Greek guerrillas; and they coincided in their views on the change in the Czech government in February 1948.

The evidence relative to this criterion further established that, prior to the Cominform resolution which attacked the Tito government, Respondent paralleled the Soviet Union in giving approval of the course of post-World War II developments in Yugoslavia and of the Tito government. On June 28, 1948, however, the Cominform issued a resolution, initiated assertedly through an exposure by the Soviet Union, which attacked Tito and his regime in bitter terms; among other charges, Tito and his leaders were derided for having entertained the hope that Yugoslavia could build "socialism" without "the support of the Soviet Union." One day later, on June 29, 1948, Respondent also reversed its position on the Tito government and issued a statement lauding this Cominform resolution and criticizing the Tito regime for showing hostility to the Soviet Union and for attempting to "curry favor with Anglo-American imperialism."

The views and policies of the Soviet Union and the CPUSA were identical on the question of the Berlin Blockade in 1948; they have likewise coincided on the course of events in post-World War II Germany.

The views and policies of the Soviet Union and the CPUSA have been substantially the same with regard to the Truman Doctrine, the Marshall Plan, ECA, and the North Atlantic Pact, namely, that the United States participation and leadership in these measures are for the aggressive purpose of domination of the world; whereas, the views and policies of the Soviet Union and Respondent, on the other hand, allegedly support peace and democracy.

The Soviet Union and Respondent took the same position in regard to the Stockholm Peace Petition in 1950 [54] in asserting that all true proponents of peace should support the petition, which was issued by a committee of the World Peace Congress. Respondent supports the Soviet Union's position, as opposed to that of the United States, concerning control and inspection of atomic energy. The same situation prevails regarding the seating of Yugoslavia in the United Nations Security Council, with Respondent supporting the Soviet Union's opposition to the United States on this question. The Soviet Union and the United States Government have taken opposite positions with respect to the representation of China in the United Nations; Respondent maintains the Soviet position which favors the seating of the respresentatives of the Chinese Democratic Peoples Republic and the exclusion of representatives of the Chinese Nationalist Government. Respondent concurred with the views of the Soviet Union in opposition to the United States peace treaty with Japan.

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[54] Respondent again expressed this view regarding the Stockholm Peace Petition in December, 1951 (Pet. Ex. 488, p. 28).

The CPUSA's position in support of the conduct of the Czechoslovakian government in the William Oatis case (American correspondent) coincides with the Soviet Union's position thereon.

The testimony and documentary evidence also established that the CPUSA and the Soviet Union express the same views regarding Korea; both maintain that the Syngman Rhee government is a reactionary "puppet regime"; both vigorously condemn the hostilities in Korea as the direct result of American imperialism and aggression; both insist the United Nations police action is illegal and aggressive toward North Korea; both maintain that this war constitutes a threat to the Chinese Peoples Republic which justifies the Chinese Communist intervention in the conflict; both assert that the Chinese intervention in support of North Korea aids the struggle of "peace-loving" peoples of the world, which are led by the Soviet Union, against the program of the American imperialist aggressors; both charge that the United States desires continuation and expansion of the Korean War; both insist that the United States has disrupted and delayed cease-fire negotiations and blocked peace in Korea; and both demand acceptance of the proposals for cease-fire and "peace" made on behalf of the North Korea Peoples Republic. In short, Respondent and the Soviet Union, regarding Korea and the Korean conflict, coincide completely in their condemnation of the policies of the United States Government in its support of the United Nations in Korea.

In addition, other witnesses established that, during the existence of the Communist International, Respondent did not deviate from Comintern instructions in a single instance; further, that a CPUSA member could not disagree with a position taken by the Cominform and continue to remain a Party member;[55] that in those instances in which the policies of the United States and the Soviet Union appeared to be in conflict, Respondent at no time expressed sympathy with the policy of the United States Government; that the Soviet Union was never criticized in Party circles, but, on the contrary, it was a cardinal rule to praise the Soviet Union at all times; that in 1941 and prior thereto, a Moscow news agency supplied Respondent with political and other news dispatches which were distributed to Respondent's leaders so that they could keep informed of the "party line" and its interpretations; and that the aforementioned dispatches were regarded by Respondent as being directives from the Soviet Union on positions to be taken, and were implemented accordingly. It was stated in Respondent's 1942 Constitution (Pet. Ex. 328, Art. VI, Sec. 15) that no CPUSA member was permitted to have a personal or a political relationship with "Trotskyites," a term used in CPUSA and Soviet Union circles in an odious sense to signify persons sympathetic to a system of deviation from the official "line" of the Soviet Union.

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[55] There have been instances of internal deviation within the CPUSA. Such instances usually resulted in dismissal from the Party, as in the cases of Gitlow and Browder. This, of course, in no wise detracts from these findings. In fact, these instances lend even greater weight to the findings, in that they highlight the intolerability with which any deviation is regarded by both Respondent and the Soviet Union.

It is also shown by evidence, in addition to that adduced through Dr. Mosely, that throughout the entire existence of Respondent, including the present, it has agreed with the view of the Soviet Union to the effect that the United States is an imperialistic nation which seeks world domination and whose government should be overthrown, whereas the Soviet Union is a true democracy in search of peace and its aims should be fostered.[56] When the United States was a potential or actual ally of the Soviet Union this chant was not sung by either the Soviet Union or the CPUSA.

Respondent made no effort to rebut the condition clearly shown to exist by Petitioner's evidence. It offered no evidence to establish a conflict between the policies of the Soviet Union and the CPUSA at any time or on any occasion. Nor is there any evidence to show that, where the views or policies of the United States as officially announced conflicted with the views of the Soviet Union, the CPUSA in any instance took a position thereon in harmony with the views of the United States, though its witnesses were repeatedly invited on cross-examination to show such an occasion. Each of Respondent's witnesses evaded a direct answer to the question and, curiously enough, each gave a similar circuitous and equivocal answer stating that Respondent's policies reflect what it conceives to be the true national interest of the American people; that if the views or policies of Respondent and the Soviet Union are similar or identical, this proves only that the national interests of the people of the two nations are the same; that Respondent takes the view that the true national interests of all people are identical; and that Respondent arrives at its views independently.

These platitudes do not negate Petitioner's evidence. Respondent's witnesses were unable to cite a single instance throughout its history where, in taking a position on a question which found the views or policies of the Soviet Union and the United States Government in conflict, the CPUSA had agreed with the announced position of the United States; nor could they show a single instance when the CPUSA had disagreed with the Soviet Union on any policy question where both Respondent and the Soviet Union have announced a position.

The testimony of Dr. Mosely and documents submitted through him embraced a tremendous area of international problems on which the positions of Respondent and the Soviet Union coincide. We have pointed out a representative portion of them. The uniformity is constant and on a wide variety of questions, and is corroborated by other evidence of record.

In evaluating the foregoing evidence we have taken into consideration that during the early history of Respondent, when it was openly a member of the Communist International and less secretive about its objectives, it accepted and effectuated the principles and tactics of the Comintern pursuant to an express condition of membership in the Communist International which required Respondent so to do (Pet. Exs. 8, 6 (c)). Moreover, in weighing the evidence set forth herein we have considered Respondent's adherence to Marxism-Leninism,[57] which in its essence requires acceptance by it of any position that the Soviet Union determines will advance the world Communist movement.

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[56] See "Imperialism," pp. 44 to 54, *supra;* and "Allegiance," pp. 118 to 128, *infra.*
[57] See "Marxism-Leninism," pp. 21–44, *supra.*

The record precludes the conclusion which Respondent would have us draw, i. e., that the uniformity of views results from "sharing a common scientific outlook" and independent application of principles by it and the Soviet Union. The great weight of the evidence is to the contrary.

We find on the entire record that the views and policies of Respondent throughout its history invariably coincide with the views and policies of the Soviet Union. Moreover, Respondent conforms immediately to each reversal in the Soviet Union's views and policies.

We conclude and find that Respondent's views and policies do not deviate from those of the Soviet Union.

D. FINANCIAL AID

We are directed by the Act to consider "the extent to which it [Respondent] receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization" (Section 13 (e) (3)).

The petition alleges:

> The Communist Party now receives and from time to time in the past has received financial aid, from or at the direction of the government and Communist Party of the Soviet Union, the Communist International and the Communist Information Bureau * * *.

The CPUSA sent members to the Soviet Union to attend schools located there, notably the Lenin Institute in Moscow. The expense for their travel and subsistence was borne by the Communist International.

In the 1920's and 1930's the Communist International financed the travel of CPUSA officials and members to and from the Soviet Union and on missions to other countries for the purpose of orientation and the conduct of official business on behalf of international Communism, such as fulfilling representative functions in the Communist International; in addition to their subsistence, salaries were paid them in some instances by the Communist International for the duration of their stay in the Soviet Union.

During the period from 1920 to 1934, the CPUSA received financial assistance from the Soviet Union, often in the form of subsidies, which are described more fully in subsequent findings under this heading.

The Communist International contributed the sum of $50,000 to Respondent for the purpose of financing the 1924 campaigns of William Z. Foster and Benjamin Gitlow, the Communist Party candidates for President and Vice President of the United States, respectively; and the Communist International likewise contributed a substantial sum to Respondent to finance the campaigns of these candidates on the same ticket in 1928.

The Communist International directed the establishment of the *Daily Worker* and contributed the sum of $35,000 to Respondent in 1924 for this purpose. During the period of 1936 to 1938 the expenses of the *Daily Worker* were reduced because international news was received from the International Press Correspondence, an organ of the Communist International.

In 1929, a delegation of ten CPUSA officials went to Moscow to appeal a decision of Stalin on a factional dispute within the Respondent organization. The Communist International paid the travel expenses of the members of this delegation.

The Communist International in Moscow announced the decision on the 1929 factional dispute within the CPUSA. Thereupon, the Communist International gave a substantial sum of money to the Chairman of the new Secretariat of the CPUSA, which had been formed by the Communist International. These funds were to be used to establish a new newspaper, loyal to the Communist International, in the event that the CPUSA lost control of the *Daily Worker* because of the factional dispute; further, the Chairman of the newly formed Secretariat was given a substantial additional sum to finance enforcement among the members of the CPUSA of the decision reached in the Soviet Union regarding the leadership of the CPUSA.

The Trade Union Educational League (TUEL) was formed in the early 1920's pursuant to instructions from the Communist International; the latter also furnished a subsidy for the initial financing of this newly formed organization.

In 1928, a Trade Union Delegation was organized in this country by the CPUSA at the direction of the Communist International, to visit the Soviet Union. A member of this delegation's technical staff, who was a secret member of Respondent, eventually wrote the delegation report. The Communist International partially financed the organization and expenses of the delegation's visit to the Soviet Union.

About 1928, the Communist International subsidized, by grants of substantial sums of money, a campaign by the CPUSA among the members of the United Mine Workers to defeat John L. Lewis for the union presidency.

During the early period of Respondent's existence in the United States, paid functionaries of the CPUSA were permitted to purchase books at ⅓ discount from the International Publishers, the latter being a Soviet Union publishing organization in the United States.

In 1929, or shortly thereafter, the Communist International directed that Respondent form Port Bureaus at leading ports in this country. The purpose was to facilitate recruiting and organizational work on the waterfront on behalf of the CPUSA. The establishment of these bureaus was facilitated by funds furnished by the Communist International.

In 1927, a representative of the Communist International requested that the CPUSA send a delegate to the International Miners Conference at Moscow. Respondent's Political Committee voted unanimously to reply that it would send a delegate but that funds for the delegate's fare should be cabled to the Respondent organization.

Amtorg is a trading corporation of the Soviet Union which was organized in the United States in 1924. From its inception until 1929, Amtorg rendered financial assistance to Respondent by: (a) paying excessive rates to Respondent publications for placing advertisements therein, and (b) making it possible for the Communist Party School of Business Relations to realize money from insurance and other activities.

During the period from 1919 to 1934, members of the CPUSA were sent to other countries to assist in Communist Party activities there, in many instances under specific instructions from the Communist International; the Communist International financed these missions.

A member of Respondent organization, who was specializing in labor activities in the United States, was sent to the Soviet Union in 1934 to serve as a representative of the Trade Union Unity League at the Red International of Labor Unions at Moscow; the latter was a section of the Communist International. Funds for the trip were furnished by Jacob Golos, a representative of the Soviet Union in the United States. Subsistence while in Moscow was borne by the Red International of Labor Unions.

In 1927, the International Red Aid sent Russian films to the United States, free of any charge. The films were delivered to the International Workers Aid. The CPUSA determined the distribution of profits realized from the showing of the films in the United States.

In the 1920's, the Communist International sent a show troupe to the United States called the "Blue Blouses." This troupe operated under the auspices of the Workers International Relief. The funds realized from their tour in this country were distributed to various organizations by Respondent, including itself and the *Daily Worker*.

During the years 1930 to 1934 the Communist International provided subsidies for *Labor Unity*, a labor magazine operated under the direction of the CPUSA.

In 1939, the Treasurer of the CPUSA stated that it was impossible to put additional CPUSA funds into the *Midwest Daily Record*, a CPUSA controlled paper, because at that time communications to their sources of funds abroad, i. e., the Soviet Union, had been disrupted.

During the late 1930's, the *Daily Worker* received political news dispatches free from the Runag news service in Moscow. These dispatches were used by the editorial staff of the *Daily Worker* and, also, were distributed to the Party leadership for scrutiny and study. After the passage of the Foreign Agents Registration Act in 1938, these dispatches were sent to *The Intercontinent News*, a corporation which had been formed by the CPUSA in New York City to handle the service in a manner that to all appearances would be independent of the *Daily Worker*. This medium in turn relayed the dispatches to the *Daily Worker* at a nominal cost.[58]

In or about 1949, Respondent, through International Publishers, received from the Soviet Union book plates and English translations of books, such as an edition of *The Selected Works of Lenin*, as well as actual page proofs for books, with no charge.

After the passage of the Voorhis Act in 1940, with the consequent nominal disaffiliation of Respondent from the Communist International,[59] evidence of such financial aid does not appear in the record with one exception, this being the above instance of financial aid to Respondent in or about 1949.

Respondent denies that it receives financial aid from or at the direction of the Soviet Union or the Communist International; and denies the relevancy of the above findings to any issue in this proceeding.

We find a preponderance of the evidence in the record establishes numerous instances of substantial financial aid which flowed to

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[58] This news service from Moscow ceased in 1944 when the Department of Justice ordered *The Intercontinent News* either to label its news material as propaganda or to discontinue its service. Thereafter, the *Bulletin* of the Soviet Embassy was used as a news source. We have reviewed Respondent's Exhibits 70-75, incl., but we do not credit them for the purpose offered in view of the testimony of Petitioner's witness Budenz concerning them, which we accept.

[59] This is discussed fully hereinbefore.

Respondent from and at the direction of the Soviet Union and the Communist International; and we conclude that the above findings are relevant to the ultimate issue in this proceeding in the light of the whole record.

E. TRAINING AND REPORTING

Sections 13 (e) (4) and (5) of the Act provide that in determining whether or not an organization is a "Communist-action organization," the Board shall take into consideration:

> (4) the extent to which it [Respondent] sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement; and
>
> (5) the extent to which it [Respondent] reports to such foreign government or foreign organization or to its representatives; * * *.

The petition alleges inter alia:

> The Communist Party regularly reports and has reported to the government and Communist Party of the Soviet Union and to the Communist International and the Communist Information Bureau, and has sent members and representatives to the Soviet Union and other foreign countries for instruction and training in the principles, policies, strategy, and tactics of the world Communist movement * * *.

Respondent denies the foregoing allegations of the petition, but states in its amended answer that during the period of its affiliation with the Communist International, members and representatives of Respondent attended and participated in Communist International Congresses and certain of its committees; that members of Respondent have from time to time visited foreign countries, including the Soviet Union; and that, in the past, certain members of Respondent studied in the Soviet Union.

In its amended answer and again in its exceptions, Respondent denies the relevancy of any of these conceded facts to any issue in this proceeding. Upon consideration of the record, we do not agree with this contention.

The evidence pertaining to "training" and "reporting" is somewhat interwoven and we have, therefore, consolidated these subjects in this section of our report.

Since Respondent admits that its members have studied in the Soviet Union, that it has participated in meetings of the Communist International, and that it has sent representatives to the Soviet Union, it is unnecessary to set forth in this part of our report the considerable amount of detailed evidence establishing these points, except to the extent it may be necessary for an understanding of the findings under these criteria.

An elaborate world-embracing school system was established in Moscow for training Communists and preparing them for leadership roles in the world Communist movement. The Western University taught trainees from the semi-agrarian areas, such as the Balkan and Baltic countries; the Eastern University schooled trainees from the Asiatic countries, such as China, Siam, and Korea; the Academy of Red Professors was a training school for theoreticians for the world Communist movement; a special section of the Fronze Military Academy was devoted to training students sent from foreign countries; and the Lenin School took in trainees from the "more advanced" countries, such as Germany, France, England and the United States. Petitioner's witness Honig was an American instructor at the Lenin

School in 1934–35 where he taught labor subjects to a select group of Respondent's members. In the main, however, the school's instructors were Russians.

To qualify for training in Moscow a CPUSA member had to be recommended by Respondent and approved by the Communist International, which had established as qualifications for selection that the student be less than 36 years of age, have 5 years of active Party work, and be above average in ability.

Petitioner's witness Crouch, during the period 1928–30, studied material at the Fronze Academy pertaining to civil war, guerrilla tactics, and sabotage.

From 1928 to 1936, many of Respondent's outstanding members were sent to the Lenin School for varying periods where they received training and instructions in the strategy and tactics of the world Communist movement. Among them were Gus Hall,[60] Steve Nelson, Irving Potash,[60] Charles Krumbein, Joseph Kornfeder, George Siskind, Morris Childs, Ray Hansborough, Roddie Lester, Admiral Kilpatrick, Abraham Lewis, Margaret Unjus, Rudolph Baker, Sclar, Harry Haywood, Odel Nowell, Charles White, Leonard Patterson, Timothy Holmes, William Patterson, Hutch Hutchinson, George Hewitt, Sam Nessin, Beatrice Siskin, Philip Raymond, John Marr, William Brown, Claude Lightfoot, William Taylor, Bill Kruse, and Bell. Many of the aforementioned persons held high positions in Respondent,[61] including Nowell and Kornfeder who testified for Petitioner in this proceeding.

The evidence establishes that in the early 1930's Respondent's students in the Lenin School were taught such subjects as Marxism, Leninism, the history of the labor movement, trade-union and strike strategy, history of the Communist Party of the Soviet Union, history and organizational structure of the Communist International, the national and colonial problem, including the concept of a Negro nation in the "black belt" of the United States;[62] the history of the CPUSA, international propaganda, the theory and practice of Soviet economy, revolutionary tactics and the science of civil warfare. These subjects at the school were adapted to the peculiar conditions in the countries of the students, including the United States. For instance, the course given Respondent's members on civil warfare included political and economic conditions in the United States, the culture of the people, the terrain, the histories of the United States and the CPUSA, and the degree of political maturity in the United States. Students in the course were taught also how to convert economic strikes into political strikes, and then into general strikes that might precipitate revolution. They also were taught how to disassemble and reassemble the guns and small arms of the major nations.

For the actual carrying out of the revolution, Red Army officers taught military details in both legal and guerrilla warfare, how to erect barricades, snipe, throw grenades, use gas masks, sabotage, take over the system of transportation, seize food supplies and persuade army units to fight with the insurgents and guerrillas. They were taught how to capture and hold hostages, capture arsenals, arm Communist supporters, utilize and destroy food and water supplies, and, in general, how to carry on a total revolution for the seizure of power.

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[60] Convicted in 1949 of conspiring to teach and advocate the overthrow of the United States Government.

[61] Gus Hall signed Respondent's amended answer in this proceeding as National Secretary of the CPUSA. Claude Lightfoot was an alternate member of Respondent's National Committee in 1950.

[62] See pp. 74–77, *supra*, for a full discussion of this subject.

All this was taught with the object of destroying the economic system in the United States, and establishing a dictatorship of the proletariat here.

Concerning strategy and tactics, students at the Lenin School were taught, among other things, that "partial demands," i. e., demands within the framework of democratic procedure dealing with limited grievances on everyday problems, served as a tactical means, "a cutting edge," for the Party in mobilizing for the long range objective of the general strategy, this being the overthrow of capitalist governments everywhere through proletarian revolution. This tactic has been utilized constantly by Respondent in this country.

On the subject of "just" and "unjust" wars, the students were taught that any war in which the Soviet Union becomes involved is a "just" war for the Soviet Union, regardless of whether the Soviet Union is the aggressor or defender; that any war between a colony and its mother country is a "just" war for the colony; and conversely, any war against the Soviet Union, regardless of who is the aggressor, is "unjust" for the Soviet Union's adversary. In the event of war between two "imperialist powers" the students were taught to work for the destruction of both and thus leave to the Soviet Union a clear field for future conquest.[63]

Concerning the ultimate aim of the Party regarding capitalist-imperialist nations, students were taught that the class struggle prevailed throughout the capitalist world; that internal contradictions within these states were becoming sharper; and that their international imperialist policies toward colonial peoples were becoming more oppressive. They were further taught that, in view of these political and economic conditions, it was the duty of the CPUSA, as a part of world Communism, to cultivate revolutionary movements in colonial countries; and, in striving for world socialism, to work for the overthrow and complete abolition of capitalist states and imperialism.

In conformance with the foregoing, students from the United States were taught that the proletarian revolution was necessary and that it was their major duty to work under the leadership of the Communist International and Respondent for the overthrow of the United States Government.

The texts used by Respondent's members at the Lenin School included Lenin's *State and Revolution* (Pet. Ex. 139); *Left Wing Communism; Military Revolution; Imperialistic War; What Is To Be Done* (Pet. Ex. 417); *How It Is To Be Done; Imperialism* (Pet. Ex. 140); *Infantile Leftism;* a modern treatment of Lenin's works by Leontov entitled *Leninism by Leontov;* Stalin's *Foundations of Leninism* (Pet. Ex. 121); and *Problems of Leninism* (Pet Ex. 138); Marx's *Capital;* the *Communist Manifesto* (Pet. Ex. 31); Engel's *Scientific Socialism;* the *Programme of The Communist International* (Pet. Ex. 125); the *Theses and Statutes of the Third (Communist) International*, including the 21 conditions for membership therein (Pet. Ex. 8); a number of writings by Soviet authors concerning political policies and the economy of the Soviet Union; and other works.

The purpose of Lenin School instruction as explained by Earl Browder, then leader of Respondent, was to develop Party leaders and through them to raise the political and ideological level of the

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[63] An illustration of adherence by the Soviet Union and Respondent to this principle is found in the portion of this report dealing with their policies regarding World War II (see p. 83, *supra*).

Party membership as required by the development and intensification of revolutionary situations developing in countries throughout the world, including the United States.

In addition to the formal institutionalized schooling in the Soviet Union, many of Respondent's highest functionaries have received training through serving abroad in various positions of the international Communist organization. Honig, while functioning as CPUSA representative to the Red International of Labor Unions, was sent to various places in the Soviet Union to study Soviet operations and the activities of Soviet trade unions. William Z. Foster,[64] Earl Browder,[65] Gilbert Green,[66] Charles Ruthenberg, and Alexander Bittelman,[66] functioned for various periods during the 1920's and early 1930's in Moscow as members of the Soviet-controlled Executive Committee of the Communist International. In addition to the aforementioned position, Foster also served on the Presidium of the Communist International and Green was a member of its Young Communist League Secretariat. William F. Dunne served as an alternate member of the Executive Committee of the Communist International in the 1920's. Bosse functioned in the Information Department of the Communist International in 1926 and 1927. In the early 1930's, Clarence Hathaway functioned as representative of Respondent to the Communist International and also served as a member of the Anglo-American Secretariat of the Communist International in Moscow. Robert Minor succeeded Hathaway as Respondent's representative to the Communist International. Other members who served as the Party's representatives in Moscow include Louis Farina, John Reed, Nicholas Horawich, Israel Amter, Louis Engdahl, Max Bedacht, Harrison George, and H. M. Wicks. Morris Childs was a member of the Lander Secretariat of the Comintern. Harry Heywood served on the International Negro Bureau of the Communist International.

The record establishes that following their return to the United States, members of Respondent who had been trained and indoctrinated in the Soviet Union taught in Respondent's schools, and put into practice, where circumstances permitted, that which they had learned in the Soviet Union.

There is no substantial evidence of record showing training of Respondent's members in the Soviet Union subsequent to the outbreak of World War II. However, it is established that the extensive foreign training set forth above is still being effectuated in this country by Respondent. This training was clearly a program initiated by the Soviet Union to indoctrinate while there outstanding workers and leaders of Respondent so as to have a cadre for imparting such training to Respondent's membership in the United States.

It is apparent that World War II, and what Respondent has termed the "political situation" in this country subsequent to the war, have made travel to Moscow to obtain such training inexpedient or impossible. It is reasonable to conclude that this foreign training is no longer imperative to the functioning of Respondent as a Marxist-Leninist Party because its outstanding members and leaders, having received Soviet indoctrination, are able to educate, similarly, students at Party schools in this country and to dispense their previous training through Respondent's publications and activities.

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[64] Presently leader of Respondent.

[65] Leader of Respondent 1929–45.

[66] Recently convicted of conspiring to teach and advocate the overthrow of the United States Government.

We find that Respondent has sent its members and representatives to the Soviet Union, at the latter's insistence and with its financial assistance,[67] for instruction and training in the principles, policies, strategy and tactics of the world Communist movement, as determined by the Soviet Union, for the purpose of adopting and effectuating such principles, policies, strategy and tactics in the United States, which it does.

There is considerable evidence of record that Respondent reports to the leadership of the world Communist movement, as we now establish.

In 1926, William Z. Foster and Alexander Bittelman were in Moscow and made a written report to the Communist International covering Respondent's activities during the year 1925 with reference to the economic and political situation in the United States, trade unions, Socialist Parties, Bolshevization of Respondent, Leninist education, United Front campaigns, Negroes, farmers, women, anti-imperialism and internal Party developments.[68] The witness Gitlow went to Moscow in 1927, 1928 and 1929 to discuss similar matters with the Comintern officials. In 1929, Gitlow and other members of Respondent traveled to the Soviet Union to participate in a hearing held in Moscow by the Communist International to resolve the factional dispute then raging within Respondent. (The details of the settlement of this factional dispute are discussed *infra*, pp. 101–102, *supra*, pp. 13–14.)

Respondent's youth organization, the Young Workers League, was in continuous communication with the Young Communist International. The witness Crouch visited Moscow in 1928, where he met with general staff officers of the Red Army and reported to them concerning activities designed to increase Communist infiltration in the American armed forces. He presented a tentative draft for future work, posed questions, and received answers and detailed directives. Reports of Respondent's work on the Negro question, including the work of the Party-controlled American Negro Labor Congress, were sent in the 1920's to the Eastern Department of the Communist International, which then had jurisdiction over this phase of Respondent's activities. The witness Nowell reported on behalf of Respondent in Moscow in 1930, on matters concerning the Trade Union Unity League (TUUL) in the United States. During his stay in Moscow, Nowell received instructions in various aspects of the world Communist movement including the Negro question in the United States.

The witness Honig went to Moscow in June 1934, and remained there until November 1935 as "referent" and official representative of the Trade Union Unity League and Respondent to the Red International of Labor Unions, a creature of the Communist International. Honig, representing Respondent, attended meetings of representatives from various Communist parties throughout the world that were held in Moscow not less than once a week. At these meetings, the representatives reported on the activities in which their parties were engaged among trade unions in their respective countries, and discussions based on their reports followed. Leaders of the Comintern were always present at these meetings and registered approval or disapproval of the work being carried out in the various countries; they also determined whether such work was being carried out according to the instructions of the Comintern and gave directions as to how it should be conducted. Honig, while functioning in the Communist International's labor organization (RILU) in Moscow, received reports from Jack Stachel,[69] then acting head of the Trade Union Unity League, and Earl Browder, then head of Respondent, concerning the failure of the San Francisco general strike of 1934. Reports which Honig received at the Red International of Labor Unions were generally mimeographed or typed when not of a confidential nature and were sometimes sent through the mails. Confidential reports were taken to Moscow by American Party leaders and by Respondent's students going to the Soviet Union for training.

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[67] See findings under "Financial Aid," pp. 86–89, *supra*.

[68] Their report also contains various statements as to Respondent's activities in carrying out "decisions" and "main lines of policy" dictated by the Communist International and, therefore, constitutes additional evidence to that reviewed in support of our finding and conclusion that Respondent acts pursuant to directives and to effectuate policies of the Soviet Union as covered *supra* at pp. 78–79.

Minutes of meetings of Respondent's Central Executive Committee and its Political Committee were sent to Moscow during the 1920's and 1930's. Reports also were sent by various departments of Respondent's national headquarters and by individual CPUSA leaders. As positions of leadership in Respondent could not be held without the approval of the Soviet Union, advancement in the Party depended in part upon the reflection of a member's work in these minutes and reports. In addition to the foregoing, the minutes of Respondent's Political Committee covering official actions of Respondent during the years 1925 to 1928 reflect many instances of reporting to the Communist International through representatives sent to Moscow and through other channels of communication.

The Information Department of the Communist International collected and digested for the Comintern's Executive Committee, all information sent from the American Party. The Anglo-American Secretariat of the Communist International received reports from the English speaking Communist Parties, including Respondent; and during witness Kornfeder's membership on this Secretariat in the period 1927 to 1930, he received reports and recommendations from Respondent concerning the situation then existing in the United Mine Workers Union.

In 1932, Earl Browder reported to the Communist International on behalf of Respondent's Central Committee concerning economic developments in the United States as they related to the world situation at that time.

It is reasonable to conclude that Respondent has reported more recently to the Soviet Union through representatives of the World Communist movement from evidence furnished by the witness Matusow. While he was state literature director of the New York State Labor Youth League, Matusow attended a meeting in the fall of 1949 at which Lou Diskin (a member of the CPUSA) gave a report on a recent trip that he (Diskin) had taken to Budapest, Hungary, where he met with J. Peters [70] at a World Youth Festival. Diskin remained to report on and discuss the American youth movement of Respondent, and the American Communist Party movement generally, with officials of the World Federation of Democratic Youth, and with representatives of the Communist Information Bureau (Cominform). Elizabeth Gurley Flynn, a member of Respondent's highest governing body and a witness for Respondent herein, visited France in 1945, 1949, and again in 1950, where she met with Communist Party leaders of other countries, including, in 1945, the Soviet Union. At the 1949 meeting, there was discussed the question of the "imperialist war" which the conferees claimed was being fomented by the United States, and they considered the steps to be taken and the role of Respondent with reference to this question.

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[69] Convicted in 1949 of conspiring to teach and advocate the overthrow of the United States Government.

[70] See pp. 60–61, *supra* re Peters.

The record discloses an instance where, by means unknown, the contents of an important letter written by William Z. Foster concerning Respondent's affairs were communicated to Jacques Duclos, General Secretary of the Communist Party of France and a former member of the Executive Committee of the Communist International. The letter in question played a decisive part in Respondent's reconstitution in 1945, as elsewhere herein covered.[71] The record further shows that Respondent has reported its program and activities to the Soviet Union through representatives of the Communist International and other agents of the Soviet Union in the United States,[72] who exerted influence and control over the leadership and programs of Respondent.

In addition to Respondent's reporting in the aforementioned ways, the record establishes the existence of another form of reporting through the issuance and exchange of significant, detailed and timely information in the form of "greeting," which are generally reprinted in Communist publications.

This exchange of messages contained in "greetings" commenced early in Respondent's history. We will cite typical examples of the numerous "greetings" so exchanged. The following "resolutions were adopted at Respondent's convention in 1921 and sent to the Soviet Union:

> * * *
>
> 2. Greetings to the Third World Congress of the Communist International.
>
> The delegates of the Communist Party of America and the United Communist Party of America, in joint Unity Convention, send fraternal greetings to the Third World Congress of the Communist International. In the name of the revolutionary proletariat of America, we affirm our determination to fight under the banner of the Communist International for the overthrow of the American imperialism and for the establishment of the proletarian dictatorship. Hail to the International Soviet Republic! Long live the Communist International! (Pet. Ex. 13 (a)).
>
> 3. Greetings to the Soviet Republic.
>
> * * *
>
> The unified party, the Communist Party of America, declares that it will render all possible assistance to the Russian Soviet Republic in its struggle against the counter-revolutionary bands of the world imperialism. The Communist Party of America declares that only by the overthrow of world imperialism will the safety and mastery of the Soviet Republic over its enemies be definitely assured. The Communist Party of America pledges itself to rally the revolutionary proletariat of America for the annihilation of the most formidable stronghold of world imperialism: the American capitalist state, and to struggle for the establishment of the proletarian dictatorship. Down with world imperialism! Hail to the universal Soviet Republic! Long live the international solidarity of the workers! (Pet. Ex. 13 (a)).
>
> 4. To the Third World Congress of the Communist International.

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[71] See pp. 15-16, *supra*.

[72] See pp. 59 to 61, *supra*, re activities of these representatives in this country.

> The Unity Convention of the Communist (sic) of America and the United Communist Party of America fully upholds and endorses the firm and uncompromising stand of the Executive Committee of the Communist International against the opportunistic and centrist elements in various countries—in Italy (Serrati), and in Germany (Levi). The convention instructs its delegates to the third world congress to uphold and defend the stand of the Executive Committee of the Communist International * * * (Pet. Ex. 13 (a)).

* * *

In September 1927, on the occasion of its Fifth Convention, Respondent received "greetings" from the Comintern that were read to the Convention by acting chairman Gitlow, after which the governing body of Respondent was instructed to draw up a reply. The Comintern "greetings," in part, follow:

> In the country of the most powerful imperialism and a most brutal capitalist class the Communist Party can fulfill its duty and can become the leader of the working class against imperialism and capitalist aggression only if it is united and if it is not torn to pieces by factional struggle.
>
> The Comintern considers as one of the central tasks of the Party the *extermination of all factionalism* and the *unification* organizationally as well as ideologically. It will be the duty of the newly elected Central Executive Committee to lead the Party in a nonfactional spirit and it will be the duty of the whole Party membership to rally around the Central Executive Committee which it itself shall have chosen. * * * [Italic supplied.] (Pet. Ex. 23.)

This "greeting" elicited a response which Respondent openly declared to be a "reply" and in which it gave assurances to the Communist International that it would comply with what were, in effect, the directions contained in the Comintern "greeting." This reply is as follows:

> The Fifth Convention of the Workers (Communist) Party greets the International leader of the working class, the Communist International. Under its leadership and with our own firm and unanimous determination to unify our Party, we will overcome the tremendous difficulties in the path of building a mass Communist Party in America. The Convention recognizes fully as Party's task the winning of the American proletariat for the revolutionary struggle against American imperialism.
>
> In the execution of this task we are inspired and guided by the principles of Marxism and Leninism, by the experiences of the victorious struggles of the Russian proletariat and the heroic battles of the exploited and oppressed masses of Europe and Asia. The Convention and the incoming Central Executive Committee pledge themselves speedily *to eliminate all remnants of factionalism* and to unify the Party as a prerequisite for the further success of our work. [Italics supplied.]
>
> We pledge *the unification of our Party* and to fight more effectively for the defense of the Soviet Union and the Chinese revolution and against the war danger as well as to resist more effectively the offensive of the capitalist reaction and the reactionary trade union bureaucracy against our Party and the militant section of the American working class. [Italics supplied.]
>
> The Convention is spurred by a full consciousness of its duty to recruit the toiling masses of America for relentless struggle against American imperialism.
>
> Long live the Soviet Union!
>
> Long Live the Communist International!
>
> Fifth National Convention.
> Workers (Communist) Party.
> (Pet. Ex. 24.)

On the occasion of the Sixth Convention of Respondent, in 1929, a "greeting" was sent to the Communist International in Moscow which contained the following:

> We greet our Communist International leadership and pledge our Convention and our Party to prepare itself, to strengthen itself, to clarify itself, for its share of this task. It will close its ranks, it will cleanse its ideology from the poison of opportunism, it will defeat Trotskyism, it will mobilize against and lead the Ameri-

> can proletariat for the struggle against the imperialist war; *it will mobilize the American workers for the defense of our Soviet Union and for the final defeat of American imperialism by the revolutionary overthrow of American capitalist rule.* [Emphasis supplied.]
>
> Long Live Leninism!
>
> Long Live the Communist International! (Pet. Ex. 28).

On December 21, 1949, the *Daily Worker* reprinted a telegram "greeting" sent by Respondent to Joseph Stalin on his 70th birthday which states, among other things:

> Like the Communists and other true partisans of peace, democracy and progress in all lands, we hail your more than 50 years of sterling leadership in the interest of the international working class and humanity.
>
> * * * * * * *
>
> Under a Hitler-like anti-Soviet and anti-Communist smokescreen, the American imperialists launched their predatory and aggressive Truman Doctrine, Marshall Plan, and North Atlantic Pact.
>
> * * * * * * *
>
> Undaunted by the threats of the war instigators, the USSR steadfastly pursues its Stalinist peace policy and promotes cooperation with all who strive for peace. And the mighty world camp of peace, democracy and socialism headed by the Soviet Union, daily becomes more powerful and is destined to triumph.
>
> * * * * * * *
>
> In our country, too, the organized peace forces, among the workers, the Negro people, men and women of science and culture, are growing and will continue to grow in unison with the peace forces of the world.

After stating that the American people "favor acceptance" of Stalin's proposals for a "Pact of Peace, for demilitarizing and democratizing Germany and Japan, * * * outlawing the atom bomb", the telegram declares that the American people envy and admire the Soviet Union's peaceful harnessing of atomic energy and that they rejoice at the victory of the Chinese Communists and their bond with the Soviet Union. The so-called telegram "greeting" closes by stating:

> With full confidence in the American working class and people, the Communist Party of the USA exerts every effort to assure that by their united action they will check and help defeat the fascist-minded monopolists and warmongers. As this united action grows in influence and scope, it will bring its full weight to bear for the achievement of an American-Soviet pact of peace and friendship—the cornerstone for world peace.
>
> Long life to you, Comrade Stalin, and to your great and enduring contributions to world peace, democracy and Socialism (Pet. Ex. 375).

Petitioner's witness Lautner establishes that the primary significance of this "greeting" lies in Respondent's reaffirmation of loyalty to Stalin as the acknowledged leader of the world Communist movement.

That such "greetings" actually convey significant messages between members of the world Communist movement when the wording appears comparatively innocuous to the uninitiated is made clear by both testimonial and documentary evidence of record. The following quotation from the August 1, 1948, issue of *For a Lasting Peace, for a People's Democracy*, official organ of the Communist Information Bureau, demonstrates the significance given to a simple statement of solicitude by Stalin:

> Comrade Stalin's telegram to the Central Committee of the Communist Party of Italy said: "The Central Committees of the Communist Party of the Soviet Union (Bolsheviks) is grieved that Comrade Togliatti's friends failed to protect him from this foul and cowardly attack."
>
> The reply sent by the Central Committee of the Italian Communist Party to Comrade Stalin is worthy of this well-tested Party. *In their answer the Italian comrades assure Comrade Stalin that the solidarity of the heroic Soviet people and*

> *Stalin's warning about vigilance will be for the Italian Communists "a spur to strengthen and develop the struggle of the united international front of peace, democracy and socialism."*
>
> *All* the Communist Parties took Comrade Stalin's *message to* the Italian Communist Party *as the expression of his great solicitude for the international working class movement and its leaders.*
>
> *Increased struggle against remnants and revivals of fascism, the welding of all supporters of democracy and progress into a single socialist camp will be the best answer of the Communists of all countries to Comrade Stalin's solicitude.* [Emphasis supplied.] (Pet. Ex. 264.)

To show further the significance attached by the initiated to these "greetings", Lautner explains in this light the import of "greetings" received by Respondent at its 15th Convention in December 1950 from the Communist Party of the Soviet Union (CPSU), which follow:

> The Central Committee of the Communist Party of the Soviet Union extends fraternal greetings to the 15th Convention of the Communist Party of the U. S. A. We wish the Communist Party of the U. S. A. successes in its *struggle against reaction,* for the vital interests and rights of the working class and all toilers of the United States of America, for the *ideological strengthening of the Party ranks,* for lasting peace between the peoples.
>
> May the international solidarity of the toilers in the *struggle for peace, democracy and Socialism* gather strength. [Italic supplied.]
>
> Long live the friendship between the peoples of the United States and of the Soviet Union!
>
> Long live the Communist Party of the United States!
>
> CENTRAL COMMITTEE
> *Communist Party of the Soviet Union*
> (Pet. Ex. 376, p. 229.)

Lautner, from his experience as a former high official of Respondent (until January 1950) and as a student of Marxism-Leninism, establishes that this greeting from the CPSU was a political document of the highest importance to Party members since in a concise way it raised all the key problems confronting Respondent. Specifically he interpreted some of the various terms used by the CPSU as follows: "struggle against reaction" as basic Marxist-Leninist opposition to imperialism and monopoly capitalizm, i. e., the basic line of the Party; "struggle for peace, democracy, and socialism" as the new tactical approach since the end of World War II on which a new tactical united front is to be built; "ideological strengthening of the Party ranks" as a reference which the Soviet Party used to call the attention of the rank and file Party members to the "Browderite" disaffection and other opportunist deviations.

It is reasonable to conclude, and we do so, that the language used by Respondent in its "greetings" to the Soviet Union is likewise possessed of veiled content through which Respondent reports in this manner to the Soviet Union.

Respondent's witnesses deny categorically that Respondent reports or has reported to the Soviet Union or its representatives. The clear weight of the evidence is to the contrary.

Upon the basis of the foregoing and the entire record, we conclude and find that Respondent reports to the Soviet Union and its representatives.

F. DISCIPLINARY POWER

Section 13 (e) (6) of the Act provides that the Board shall take into consideration:

> the extent to which its [Respondent's] principal leaders or a substantial number of its [Respondent's] members are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives;

The petition alleges:

> From the inception of the organization to the date of the filing of this petition, the principal leaders of the Communist Party have been and are subject to and recognize the disciplinary power of the Soviet Government, the Communist Party of the Soviet Union, the Communist International and the Communist Information Bureau and other spokesmen of the world Communist movement. This power has been exercised principally through the Communist doctrine of "democratic centralism" which binds all Communists to execute the decisions of the leaders of the world Communist movement.

Respondent's witness Gates says the leaders of the Party do not recognize and do not consider themselves subject to the disciplinary power of the Soviet government, the CPSU, the Comintern, the Cominform or any agencies of these organizations. He stresses that Respondent's leaders are subject only to the discipline of the Party. He maintains the leaders of Respondent do not recognize any disciplinary power over them by the Soviet Union any more than the fact that he loves his wife indicates that she has disciplinary power over him.

On the other hand, the record shows that under the rules and conditions governing the world Communist movement as promulgated by the Soviet Union and accepted and followed by Respondent there is prescribed a party of iron discipline on an international as well as a national scale.[73] This "iron discipline" borders on "military discipline" and implies "the establishment of authority, the transformation of the power of ideas into the power of authority, the subordination of lower Party bodies to higher Party bodies" (Pet. Ex. 121, pp. 113 and 114; 120).

The requirements of discipline in the world Communist movement as formulated by the Soviet Union are, as previously noted, twofold. First, on an international scale the decisions of the leadership of the movement—the Soviet Union—are made binding and obligatory upon the various Communist Parties and their members through the concept of democratic-centralism and through policies and rules issued by organizational instrumentalities such as the Communist International; and the various Parties as well as their members are prohibited from any deviation from the line laid down by the Soviet Union. Secondly, the individual parties are required to maintain similar discipline within their own organizations and to guard against factionalism or division of authority in the Party—to purge themselves of dissident elements.[74]

The record shows that the principle of strict international discipline in the world Communist movement is basic and has for its purpose unity in the struggle against imperialism, in order that the "revolutionary work and revolutionary action may be coordinated" and "guided most successfully" (Pet. Ex. 125, p. 84). In other words, it is a fundamental of the world Communist movement that in order to accomplish the establishment of dictatorships of the proletariat and the defense of the Soviet Union there must exist in every country a "compact Communist Party, hardened in the struggle, disciplined, centralized, and closely linked up with the masses" (Pet. Ex. 125, p. 75).[75]

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[73] See the section of this report under the heading "Marxism-Leninism" and the sections covering the Communist International and the Communist Information Bureau.

[74] See, for example, Pet. Exs. 8 and 125.

We proceed, in the light of the foregoing, to examine the evidence concerning Respondent's recognition and acceptance of the disciplinary requirements of the world Communist movement as laid down by the Soviet Union.

One of Respondent's present top leaders, Bittelman, in his pamphlet "The Communist Party In Action," published in 1932, says:

> * * * But our World Communist movement always presented an iron front against any such weakening of international discipline, fighting for the Leninist principle that the Communist Party is a monolithic and homogeneous body of revolutionary workers functioning as the vanguard of the working class (Pet. Ex. 144, pp. 34–35).

Speaking of deviations from theory and policy as well as in the daily practical work, the article observes:

> * * * We observe, however, among certain Party members, a tendency to be easygoing, tolerant and conciliatory towards opportunist deviations. This is a dangerous attitude which is very harmful to the interests of the working class and to the growth of our Party. It is this attitude that Comrade Stalin attacked so sharply, branding it as "rotten liberalism" and calling upon every communist to demonstrate in practice in his everyday revolutionary work true Bolshevik intolerance of an irreconcilability with all opportunist deviations from the Leninist line (*ibid*, p. 48).

In 1934, Respondent defined the executive committee of the Communist International as "the general staff of the world revolutionary movement giving unity and leadership to the Communist Parties of the world" (Pet. Ex. 136, p. 18). Respondent's *Manual On Organization*, issued in 1935, notes that Communists attach "so much importance" to discipline because "without discipline there is no unity of will, no unity of action" (Pet. Ex. 145, p. 28). Henry Winston, a present top leader of Respondent, told the 14th National Convention of the Party in 1948 that:

> * * * We do not shrink from the hammer blows of reaction. Under them we will steel our Party in Communist discipline, loyalty and unity, develop its Marxist-Leninist understanding, and temper our cadres and leadership * * * (Pet. Ex. 418, p. 856).

The foregoing is indicative of a continued recognition and acceptance by Respondent of iron discipline in the world Communist movement, particularly when viewed in the light of the facts set forth in the section of this report covering Respondent's operation pursuant to directives of the Soviet Union and to effectuate the policies of the Soviet Union in the world Communist movement.

Particularly significant of the operation and enforcement of discipline by the Soviet Union in the world Communist movement and of Respondent's recognition of this discipline and subjection to it, is the evidence concerning the requirement that the Communist Parties and their members "follow the line" laid down by the Soviet Union. Those who do not follow the line are branded as "opportunists," "revisionists," "factionalists," "renegades," "stool-pigeons," etc., and are purged from the Party.

We have previously herein noted Respondent's present use of such Marxist-Leninist material as the *History of the Communist Party of*

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[75] This principle was a requirement of the Communist International and is also stated in *Strategy and Tactics of the Proletarian Revolution* (Pet. Ex. 343, p. 62), which was used and referred to many times by Respondent during the seven years ending in 1949 that Petitioner's witness Philbrick was a member and held official position in Respondent.

the Soviet Union (*Bolsheviks*) and a pamphlet entitled: "Resolutions—Seventh Congress of the Communist International [76]—Including The Closing Speech of G. Dimitroff." The following excerpts from these documents show what Respondent is teaching its members and is practicing as well, concerning the necessity to "follow the line."

In the *History* it is stated:

> The History of the Party further teaches us that unless the Party of the working class wages an uncompromising struggle against the opportunitists within it own ranks, unless it smashes the capitulators in its own midst, it cannot preserve unity and discipline within its ranks, it cannot perform its role of organizer and leader of the proletarian revolution, nor its role as the builder of the new Socialist Society (Pet. Ex. 330, p. 359).

And Dimitroff's speech as contained in the aforementioned document says in part:

> Championing, as we do, working class unity, we shall with so much the more energy and irreconcilability fight for *unity within our Parties*. There can be no room in our Parties for factions, or for attempts at factionalism. Whoever will try to break up the iron unity of our ranks by any kind of factionalism will get to feel what is meant by the Bolshevik discipline that Lenin and Stalin have always taught us. [Applause.] Let this be a warning to those few elements in individual Parties who think that they can take advantage of the difficulties of their Party, the wounds of defeat or the blows of the raging enemy, to carry out their factional plans, to further their own group interests. [Applause.] *The Party is above every thing else!* [Loud applause.] *To guard the Bolshevik unity of the Party as the apple of one's eye is the first and highest law of Bolshevism!* [Emphasized in text.] (Pet. Ex. 137, p. 13.)

Respondent's *Manual On Organization*, to which we have referred in various places in this report, points out that basic principles and decisions, such as the necessity for the proletarian dictatorship, the correctness of the line "laid down" by Marx, Engels, Lenin, and Stalin, and the necessity for the forceful overthrow of capitalism, cannot be questioned (Pet. Ex. 145, p. 26). Respondent's publication *The Way Out* covering its 8th Convention held in 1934, says "Renegades are those who were formerly members of the Communist Party but were expelled from it for failure to follow the correct revolutionary line and who now fight against the revolutionary movement and against the Soviet Union" (Pet. Ex. 136, p. 17). John Gates, one of Respondent's present leaders and a witness for Respondent in this proceeding, told the 15th Convention held in 1950 that the struggle of "the renegades from Marxism against the Communist Party inevitably and logically leads to struggle against the Soviet Union and to becoming outright agents of the imperialist bourgeoisie," and that the Party needs "to be alert to the danger of factionalism" (Pet. Ex. 376, pp. 79 and 86). Also pertinent are Respondent's *Discussion Outline for Lenin Campaign*, issued in 1929 (Pet. Ex. 108), of which a considerable portion is devoted to discipline; and Respondent's publication *Why Every Worker Should Join The Communist Party*, issued in the mid-1930's (Pet. Ex. 143).

We treat now with specific incidents of record related to the purging of those who have not "followed the line." The record shows that from the beginning of Respondent's existence in the United States, the Soviet Union has exercised disciplinary power to enforce adherence to the revolutionary line. We have hereinbefore noted the foreign direction concerning the settlement of the factional dispute in Respondent in 1929 whereby, under Comintern "authority and wisdom,"[77] the Party was purged of factional elements and opportunists pursuant to Stalin's solution, in which he said:

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[76] William Foster and others were present and represented Respondent at the 7th Congress of the Comintern. See *supra*, p. 20 of this report.

> * * * And when a revolutionary crisis develops in America, that will be the beginning of the end of world capitalism as a whole * * *. For that end the American Communist Party must be improved and bolshevized. For that end we must work for the complete liquidation of factionalism and deviations in the Party * * *.[78]

Stalin's speeches before the Comintern on the settlement of the aforementioned factional dispute, which speeches were subsequently published in Respondent's official organ,[79] refer to the conduct of Respondent's members who questioned the decisions of the Executive Committee of the Communist International as "insubordination" and apply the term "enemies of the working class" to the factional group. We find on the record that this expression covers so-called renegades, revisionists, reformers, opportunists, etc., and that the expression and words it covers are current in Communist use to denote one who deviates or does not follow the correct revolutionary line.

The record shows that Trotsky, who was expelled from the Communist Party of the Soviet Union, and Lovestone, who was expelled from the CPUSA,[80] became descriptive of "enemies of the working class" who must be purged. We consider it significant, therefore, that Respondent's consitution as amended in 1942 provided:[81]

> No Party member shall have personal or political relationship with confirmed Trotskyites, Lovestoneites, or other known enemies of the Party and of the working class (Pet. Ex. 328).

And that the present constitution provides:

> Personal or political relations with enemies of the working class and nation are incompatible with membership in the Communist Party (Pet. Ex. 374).

We have noted in other sections of this report that Paul Crouch, an early official of Respondent, was denied election in 1929 to the position of national secretary of the Young Communist League because of his previous support of Lovestone and upon instructions from Moscow. We have also noted that Nowell, while a student from Respondent to the Lenin School in Moscow, was disciplined by the Communist International for disagreeing with the policy on the "Negro question," and that Kornfeder was expelled in 1934 for failure to heed the instructions of a Soviet Union representative in the United States. Petitioner's witness Johnson was expelled by Respondent in 1940 for having exhibited opportunistic tendencies, and all members were warned not to have anything to do with him.

In many respects the reconstitution of Respondent under the name Communist Party in 1945, after having existed for about 13 months as the Communist Political Association, is similar to the 1929 settlement of the factional dispute which existed at that time. We have previously herein noted the foreign participation in the 1945 reconstitution and in the 1929 factional settlement. With respect to the 1945 episode, William Foster reported to the convention that the only way he could have gotten his letter to the membership, which letter opposed the formation of Respondent under the name Communist Political Association, was by facing expulsion, and that since his letter would have caused disunity, anyone who attempted to discuss it would have been denounced as a Trotskyite by Browder. Following the reconstitution in 1945, Earl Browder was expelled as a "revisionist" for seeking to abandon basic Marxism-Leninism principles and for opposing the re-emphasis thereof which was part of the 1945 reconstitution following the Duclos and Manuilsky pronouncements.

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[77] Pet. Ex. 126, p. 246.

[78] Ibid.

[79] Pet. Ex. 109.

[80] Respondent's official declaration on the expulsion of Lovestone, Gitlow, and others who had refused to be bound by certain demands of the Comintern in 1929 calls their conduct "unprecedented warfare against the Party," and states that "any association with the expelled, any support given them is incompatible with the duties of membership in the Party" (Pet. Ex. 117, p. 2).

[81] We note that although Respondent had previously announced "disaffiliation" from the Comintern, its constitution as amended in 1942 included the Comintern, together with Marx, Engels, Lenin, and Stalin as the enunciators of the principles according to which Respondent seeks to establish "socialism."

In 1950, Lautner, without advance warning, was subjected to a severe inquisition by officials of Respondent and forced to sign a statement that he was a spy and agent in the ranks of the Communist Party and had received a fair hearing. He was not, and had not been, a spy or agent. His efforts to get a hearing or review by Respondent's National Review Commission were ignored. His only notice or information about his expulsion came from an article in the *Daily Worker* stating that he was expelled as a "traitor and enemy of the working class." Indicative of the disciplinary program in the world Communist movement is the fact that the notice of Lautner's expulsion from the CPUSA was printed in the Cominform journal *For a Lasting Peace, for a People's Democracy,* and that the same issue contained a similar notice as to the expulsion of a member from the Communist Party of Italy, both under the heading "Rooting Out Traitors from the Ranks of the Communist Parties" (Pet. Ex. 362). Also in this connection, the record shows that in 1948 the Communist Information Bureau adopted a resolution that the leaders of the Communist Party of Yugoslavia were pursuing an unfriendly policy toward the Soviet Union and the CPSU (B), that this anti-Soviet attitude was incompatible with Marxism-Leninism, and that the Yugoslavia Party had failed to accept the criticism and measures set forth by the Central Committee of the Communist Party of the Soviet Union. The resolution suggests the Yugoslavia Party leaders be replaced if they did not "recognize their mistakes" and rectify them. This resolution was printed in the August 1948 issue of *Political Affairs* (Pet. Ex. 344) and was discussed in meetings of Respondent's groups. It was praised by Foster and Dennis. In 1949, the Cominform adopted another resolution concerning Tito and other leaders of the Yugoslav Party which brands them as "enemies of the working class" for becoming agents of "Anglo-American imperialism," conducting a "campaign of slander and provocation against the Soviet Union," and being disloyal to the principles of Marxism-Leninism. This resolution states the struggle against the Tito clique is the international duty of all Communist and Workers' Parties.

Finally, with respect to specific instances of discipline, in 1951 one Warwick Thompkins was expelled by Respondent for trying to organize Communist members to support in the distribution of leaflets containing "slanderous" remarks about the Soviet Union.

In addition to the foregoing, we have also taken into consideration in connection with Respondent's recognition of and subjection to the disciplinary power of the Soviet Union, the facts elsewhere herein set forth concerning Respondent's following of the concept of democratic-centralism, the nature of the *Daily Worker*, and the activities of foreign Communist representatives sent to supervise Respondent. Regarding this latter aspect, the record shows that some of the foreign representatives or agents sent to the United States have been members of the Soviet secret police who instructed Respondent on underground and espionage work. Petitioner's witnesses Gitlow, and later, Budenz, knew and dealt with Jacob Golos as a resident agent of the Soviet secret police. Elizabeth Bentley was designated by Golos as a trusted go-between in his relations with Budenz.

Further, the record shows that Communists who took the three-year training course in Moscow, and were considered qualified, were sent as representatives or instructors into other countries. Petitioner's witness Kornfeder after completing training in Moscow as a member of Respondent was sent in 1930 to South America to reorganize the badly functioning Party in Colombia and to organize an underground Party in Venezuela. Kornfeder identifies Charles Crumbein and Rudolph Baker as other United States Communists who were sent as representatives outside of the United States. While in Moscow before going to South America, Kornfeder had daily meetings with Palmiro Togliatti[82] who briefed him on South American policies.

Earl Browder, high official of Respondent until his purge following Respondent's reconstitution in 1945 as above noted, came back to the United States as an official of Respondent in 1929 as part of the settlement of the factional dispute. He was first summoned to Moscow from a position as Soviet representative in Shanghai, China, and after being instructed as to what was required of him, was assigned as General Secretary of Respondent. Other members of Respondent are identified in the record as receiving foreign assignments on instructions of the Communist International.

Summarizing, we find that the Soviet Union has established a requirement of iron discipline throughout the world Communist movement which imposes upon the Communist Parties and their members in the various countries the duty of following with unquestioned devotion the line laid down by the Soviet Union; that Respondent herein has recognized and accepted the requirement of iron discipline, has not repudiated it and has acted in accordance therewith; that officers and members of Respondent have been expelled by Respondent upon instructions from the Soviet Union; that Respondent has subjected itself to Soviet discipline by expelling officers and members for failure to follow the line laid down by the Soviet Union, or for conduct of the type proscribed by the Soviet Union such as so-called revisionism and opportunism; and that Respondent has followed policies and activities designed to carry out the disciplinary policies of the Soviet Union.

Upon consideration of the foregoing and of the entire record, we find and conclude that Respondent's principal leaders and a substantial number of its members are subject to and recognize the disciplinary power of the Soviet Union and its representatives, and that by its recognition and subjection to the disciplinary power of the Soviet Union, Respondent seeks to advance the objectives of the world Communist movement.

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[82] Presently leader of the Italian Communist Party and at the time he instructed Kornfeder, head of the Latin American Secretariat of the Communist International.

G. SECRET PRACTICES

Section 13 (e) (7) of the Act provides that the Board shall take into consideration:

> the extent to which, for the purpose of concealing foreign direction, domination, or control, or of expediting or promoting its objectives, (i) it [Respondent] fails to disclose or resists efforts to obtain information as to, its membership (by keeping membership lists in code, by instructing members to refuse to aknowledge membership, or by any other method); (ii) its [Respondent's] members refuse to acknowledge membership therein; (iii) it [Respondent] fails to disclose, or resists efforts to obtain information as to, records other than membership lists; (iv) its [Respondent's] meetings are secret; and (v) it [Respondent] otherwise operates on a secret basis;

The petition alleges:

> For the purpose of expediting and promoting its objectives and concealing its foreign direction, domination and control, the Communist Party from its inception has adopted a multitude of clandestine practices. While the degree of secrecy has varied from time to time, there has been a strict adherence to the practice of secrecy during the period from July 1945, to the time of the filing of this petition. * * *

The petition further sets out 12 specific types of such practices allegedly engaged in by Respondent. For convenience, the evidence relating to these and other activities is set forth in this section under appropriate head notes which in the main correspond to the aforementioned alleged practices. Evidence relating specifically to the purpose for which the subject activities were undertaken, aside from that of the nature and character of the acts and practices themselves, is summarized under the heading *Purpose of Secret Practices* at the end of this section.

1. Secret and Open Members

It is conceded by Respondent and the evidence establishes that some portion of its membership was and is concealed. Party members active as labor union leaders, mass organization leaders, members of professions, and others have concealed their party membership from the general public or from the organizations in which they worked or in which they were members. The degree of concealment varies with Respondent's current policy regarding its activities.

A higher degree of secrecy generally applied to members of the Respondent who were important civil servants, members of the armed forces, teachers, and those individuals engaged in espionage and other illegal and confidential activities for the CPUSA or the Soviet Union. Such members were known only to the leading officials of Respondent or to a limited number of the members thereof.

Open members of the CPUSA have been those who by reason of their position in the Party or because of the type of their operations need not be concealed. For the most part, these were the national, state and district officials of the CPUSA or candidates for public office on the Communist Party ballot.

New Members upon entering the CPUSA were instructed generally not to reveal their Party membership. In 1928, members of the staff of the Daily Worker were instructed to deny their CPUSA membership in the event of a police raid. Similar instructions were given to Party members attending CPUSA schools in 1932. Party members in trade unions were ordered in 1948 not to reveal their CPUSA membership.

It is thus that Respondent engages in the practice of maintaining a membership of both concealed and open members.

2. Refusal to Reveal Information

Respondent's organ, the *Daily Worker* for February 17, 1930, stated:

> It is the duty of Communists to throw every possible obstacle in the way of conviction of their fellow Party members in the courts, to defend these members by all possible means, and absolutely to refuse to give testimony for the state in any form. Testimony of Communists can only be given for the defense of Communists, not for the state, and then it must be based upon uncompromising defense of the Party and its program. And any one who trades his testimony to the State for personal immunity from prosecution, should be unhesitatingly kicked out of the movement (Pet. Ex. 496).

CPUSA members were taught in Respondent's schools and at meetings during the late 1930's and early 1940's that the moral basis of all acts by a Communist is the determination of whether such acts do or do not help in the achievement of the victory of the classless society; that no oath, or statement in court, or consideration of any kind can take precedence over the question of whether or not his act helps or harms the CPUSA. The record discloses a number of other instances, wherein CPUSA members, several of whom testified for Petitioner in this proceeding, were instructed while members to deny their Party membership in the courts and to government agencies, e. g., to the Federal Bureau of Investigation in connection with the Loyalty Program of the Federal Government. Respondent has instructed its members to refuse to talk to FBI agents. In answer to a question in this proceeding as to the whereabouts of certain members of the CPUSA National Committee, who are fugitives from justice, the Respondent's witness Gates stated, "if I knew, I wouldn't tell you in a million years."

The CPUSA, in the early 1940's caused documents to be filed with the Department of State which stated that the Intercontinent News Agency was an independent agent, when, in fact, it was formed by the Respondent for the purpose of circumventing the Foreign Agents Registration Act of 1938.

Plans were discussed by Party leaders together with agents of the Soviet Secret Police in 1928, whereby blank American passports might in some manner be obtained illegally from the Department of State. CPUSA members (Kornfeder, Honig and Arbona) have used detached visas which were issued by Soviet Union sources here and abroad in 1927 and 1934, as a device to conceal from agencies of the United States Government visits to the Soviet Union. In 1937, Respondent's witness Gates did not list Spain as one of the countries to be visited when he applied for an American passport, since the United States Government did not issue passports for travel to Spain at that time; actually, it was his purpose to go to Spain and he did so. In 1949, Eugene Cubues Arbona, head of the Communist Party youth movement of Puerto Rico, in collaboration with members of Respondent, submitted to the Department of State an application for a passport which falsified the answers to questions concerning the countries to be visited abroad, and other matters. At that time, CPUSA members assisted this official in making arrangements to obtain a detached visa in France in order to visit Hungary, thereby concealing knowledge of the Hungarian destination from the United States Government.

Hence it is clear that members of Respondent are trained to and do refuse to reveal information to proper governmental agencies and tribunals concerning Respondent and its membership as a matter of basic Party policy.

3. *Destruction and Secretion of Records*

In periods of strict secrecy, the Party has issued directives to destroy records and such literature as would identify members with Respondent. Such orders were issued throughout the period of the Hitler-Stalin Pact from 1939–1941 and also during the period from 1946–1951. During the latter period, records in CPUSA headquarters were burned by Party leaders while the individual members were instructed to burn Party lists and literature kept in their homes. During the 1946 Congressional campaign, a CPUSA member, Herbert A. Philbrick, was instructed to destroy his Party membership card for security reasons while participating in the campaign of a non-Communist candidate for public office. Pursuant to the orders of CPUSA officials, Party membership books were destroyed in 1947 and membership cards were destroyed in 1948. In 1949, a system was estabished at New York county headquarters of Respondent whereby all messages containing names, addresses and phone numbers were to be burned as soon as read. This system was still in effect in January 1951.

In addition to the steps taken to destroy records and other material during the aforementioned periods, Respondent adopted the practice of keeping no records which would divulge information concerning its members and activities. In situations where it was thought absolutely necessary to keep records, however, secret devices such as charts and code systems have been used. Records have been kept at a minimum by such varied practices as engaging in cash financial transactions, issuing oral directives without ever reducing them to writing, and requiring club leaders of Respondent to memorize the names of members of their respective clubs. In 1949, instructions were given to a club official of Respondent, which he followed, that dues and "sustainers" were not to be collected from any member in the presence of other members.

CPUSA membership cards are not issued when the Party operates under conditions of strict secrecy. In this connection, no membership cards were issued to members for one of the years during the Hitler-Stalin Pact period from 1939–1941 because Respondent believed it would have to go underground, i. e., operate completely clandestinely. Membership cards have not been issued for the years 1949 to date as a security measure to conceal the identity of CPUSA members.

Records of the CPUSA pertaining to its membership and other affairs have been maintained secretly. The Party has selected carefully concealed places in which to hide its records. Such hiding places have consisted of homes and business offices of secret or concealed members of the Party or of other persons who would be least suspected of being identified with the CPUSA.

Thus, during periods of strict secrecy Respondent has engaged in the practice of destroying or secreting records, and of not maintaining membership records, or of maintaining them in code.

4. *Deceptive Language in Party Writings*

The CPUSA, as recommended by Lenin, has used deceptive language in its Constitution (Pet. Exs. 328, 329, 374) and other writings to conceal the real aims, purposes and objectives of the Party. A decisive clause in the preamble to the CPUSA Constitution of 1942, viz., "* * * by the establishment of socialism, according to the scientific principles enunciated by the greatest teachers of mankind, Marx, Engels, Lenin, and Stalin, embodied in the Communist International * * *" was taught in Party schools as equivalent to the statement, "in accordance with the principles of Marxism-Leninism," as defined hereinbefore. Notwithstanding any other language to be found in other sections of the preamble, this clause controls the interpretation which CPUSA members place upon the Constitution. Similarly, statements in the preambles of the 1945 and 1948 Constitutions of the CPUSA to the effect that Respondent's functions are founded "upon the principles of scientific socialism, Marxism-Leninism" cannot be reconciled with subsequent statements which refer to the Constitution of the United States. These direct and implied references to Marxism-Leninism control the interpretation which Communists must place upon the subject matter found in the Party Constitution. Such reference to Marxism-Leninism is intended to override any other matter contained therein which may be conflicting in any manner. Marxism-Leninism is defined fully elsewhere in this report.[83]

Deceptive language has been used in other statements and documents of Respondent for the purpose of concealing its true aims, purposes, and objectives. Lenin explained the necessity for the use of such language in *Imperialism, the Highest Stage of Capitalism* (Pet. Ex. 140). During the period 1935–1945, the witness Budenz used such language in his writings as a staff member of the *Midwest Daily Record* and of the *Daily Worker*.

That Respondent uses deceptive language, even in the most basic Party documents, such as Constitutions, to conceal its real objectives is established in the record.

5. *Use of Party Names, Aliases, etc.*

By direction of Respondent, Party names or aliases were used by its members in 1927 and 1934 on American passports, which had been obtained illegally in order to conceal from the United States governmental agencies the knowledge that trips were being or had been made to the Soviet Union. By similar direction, CPUSA leaders have at other times, for the same reason, used false names in connection with their trips to the Soviet Union as have Respondent's students en route to the Lenin School at Moscow. Pursuant to instructions from CPUSA leaders, the students were not to use their real names while on board ship but were to conceal their identity and destination. Also, Respondent's leaders and members, acting on instructions, have used Party names or aliases to conceal their activities on behalf of the CPUSA in labor circles and in other organizations, as well as in the conduct of strikes and labor disputes. Concealment of Party membership from law enforcement agencies, by the use of Party names, has been practiced by Respondent's members throughout the existence of the Party. False or Party names have been used on CPUSA membership cards at various times. In the 1930's, Respondent's leaders were instructed to use Party names in order to conceal their identity in the event of police raids. In the years immediately following the conclusion of World War II, membership books were issued in blank. Party members were directed to enter a false name or, in some instances, were given the option of entering a false name, of entering only their first name, or of entering no name at all on the books.

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[83] See pp. 21 to 44, *supra*.

The rigidity of the concealment measures which commenced in the late 1940's, is indicated by the employment of certain practices in the Party whereby the names of Party members were not disclosed to each other, even at conventions and meetings, Party names or aliases being used by members as a substitute.

During the present period, the payment of dues and other contributions to the Party is recorded by the use of a system whereby the members are designated by number at the club level. Also, numbers and symbols have been used by the Partv in order to identify its members on mailing lists. Students at Respondent's Marxist-Leninist Institute in Oakland, California, during the period 1949–1950 were enrolled by numbers instead of names, and students at the former were directed to refer to each other by their enrollment numbers rather than by their correct or Party names.

The use of Party names or aliases for the purpose of concealing membership and activities in the CPUSA has been a widespread and continuous practice by the CPUSA leaders and the rank-and-file members throughout the existence of the Party. The record is replete with instances of such practices.

6. Use of Codes, Couriers, etc.

In the early history of the CPUSA, its leaders received training in the secret department of the Communist International in the use of codes for the transmittal of Party messages, as well as training in the operation of short wave communication. In the "Arcos" raids which took place in Great Britain during 1927, British authorities seized codes, documents, letters, and files which revealed the identity of certain CPUSA leaders who had received confidential letters, reports, cables, and sums of money in the United States from the Soviet Union. As a result, new codes for the CPUSA were delivered in Moscow by a Comintern official to a leader of Respondent who in turn brought them into the United States.

During the 1930's, the CPUSA established and used various code systems in transmitting confidential messages between its units and its leaders in the United States. Instructions were received by Respondent in code from the Comintern in connection with the 1934 general strike in San Francisco.

In the summer of 1949, instructions were given and steps were taken by Respondent's leaders to establish a national system of radio communication for use by the Party on a standby basis. The establishment of this system involved the acquisition of radio receivers, familiarization with the use of radio equipment, plans for the location of mobile transmitters and receiving equipment, and a search to find amateur radio operators among CPUSA members. In addition, leaders of Respondent sought to establish this system in such a manner as to avoid detection by the Federal Communications Commission of illegal transmissions.

At a secret meeting of the CPUSA held in Toledo, Ohio, in July 1947, Respondent's witness Elizabeth Gurley Flynn, then Chairman of the Women's Commission of the CPUSA, told Party members pursuant to instructions of the CPUSA National Committee that Party leaders should not use the telephone for communicating with Party members; further, that Communist documents and directives should not be sent through the mails, that names of Communists should not be used over the telephone, and that lists of names of Communists should not be carried on one's person. The record shows that these instructions were carried out in general by Party members.

Secret devices for concealing the transfer of members from one Party unit to another have been used within the CPUSA, notably during the periods of strict secrecy, which includes the present. After the reconstitution of the CPUSA in 1945, transfer cards in certain units of the Party were sent to destination points by couriers instead of being forwarded through the mails as theretofore.

Prearranged code words or phrases have been used by CPUSA members in communicating with each other, particularly with respect to underground activities since 1947. A telephone code was devised in 1949 and used through 1950 to transmit information about meetings and other Party affairs in California.

Extensive use has been made of confidential mailing addresses by the CPUSA and its members through 1949. Such addresses have included those of members least suspected of being affiliated with the Party.

Couriers have been used extensively by Respondent as a concealment measure in the transmission of documents and other material over a period of many years. Until 1940, CPUSA members served as couriers for the transmission of documents between the United States and the Soviet Union and also on behalf of the Communist International in Moscow for the purpose of transferring funds and documents between the Soviet Union and other foreign countries. Communist International representatives to the CPUSA have acted as couriers in exchanging documents between the United States and the Soviet Union. One objective of the Red International of Labor Unions in carrying on Communist activities in the maritime industry was to create an unlimited courier service throughout the world.

In February 1952, a CPUSA member who testified in this proceeding for Petitioner was told by a Party official that the former was to receive instructions as to the performance of the Party's underground activities; and, further, that this member would act largely as a courier between certain Party units.

It is thus clearly shown that Respondent uses codes, couriers, confidential mailing addresses, and other secret devices to conceal its membership and activities.

7. *False Swearing*

On instructions from Respondent, a Party Leader, Joseph Kornfeder, swore falsely when he applied to the Department of State in 1927 for a passport.

Jack Stachel, a member of the CPUSA National Committee, instructed a member in the 1930's to testify falsely in an injunction suit brought against the Shoe and Leather Industrial Union, concerning the issue of whether this union was Communist-controlled.

A Party member, in early 1948, falsely denied his membership in the Party before a court in Virginia. At a meeting of a Party Committee held in Washington, D. C., following that occasion, his resignation from Respondent was so dated as to enable him to say that he was not a CPUSA member on the date that he denied such membership.

In order to circumvent the non-Communist affidavit provisions of the Taft-Hartley Act, CPUSA members holding positions in labor unions were instructed by Respondent's officials in 1948 and 1949, to "resign" formally from the CPUSA, but nevertheless to continue functioning as members of the Party. In this connection, Gus Hall, a CPUSA official thereafter convicted under the provisions of the Smith Act, instructed a member in 1948, to sign a letter of resignation back-dated to a time prior to the effective date of the Taft-Hartley Act in order to protect the member from prosecution under the provisions of [that Act. In 1949, a member was given Party instructions that a formal "resignation" from Respondent, but an actual continuation of his functions as a Communist, was the procedure to follow if he must sign a non-Communist affidavit as required under the Taft-Hartley Act.

Party members are impressed by Respondent with the necessity and desirability of making false statements to conceal Party information and to forward Party objectives.

8. *Secret Meetings of Trusted Members*

Throughout its history Respondent's meetings generally have been restricted to Party members, although on occasions authorized "public" meetings have been held. Election rallies held when Respondent supported candidates for public office have been open to the public, as have expressly authorized meetings of certain Party street units. At various periods important meetings of Party Committees have been held secretly in private homes instead of in Party offices. During periods of strict secrecy all Party meetings generally are held on a secret basis.

Meetings of national, state, and regional committees and commissions of Respondent, as well as other trusted Party units, such as the highly concealed professional clubs, have been held on a clandestine basis. Members of the Ohio State Committee were criticized in July 1947 by Gus Hall, a high Party official, for having violated rules promulgated by the National Committee pertaining to concealment in attending meetings. A CPUSA leader attended secret Party meetings held in Cleveland, Ohio, during 1948 and 1949. He was notified of the meetings by courier in Toledo, and upon arrival at Party headquarters in Cleveland he received final instructions as to the locations of the meetings. A district committee met in Baltimore in March of 1949 under conditions of extreme concealment. During 1949 and 1950, meetings of Party Commissions were held in places acquired in the names of nonexistent groups, in order to conceal and mislead as to the identity of the parties meeting therein.

Extraordinary care has been exercised during certain periods to conceal the actual meeting place and to restrict attendance at plenary sessions and executive board meetings of the CPUSA National Committee to only those selected members who had been given proper identification and credentials.

Respondent's schools have been conducted under varying degrees of secrecy. During periods of strict secrecy within the Party, including the periods of 1939 to1941, and from 1948 to 1950, extraordinary precautions were taken to conceal the existence of these schools and the names of the trusted Party members selected to attend them. Students at Party schools have carried out instructions to observe stringent concealment regulations in order to preserve the secrecy shrouding the operation of these schools. As an example, both the Marxist Institute in Los Angeles, California, and the Marxist-Leninist Institute in Oakland, California, were so conducted in the summer of 1950 as to conceal their existence and purpose. Students at the former school attended classes secretly at a changed location after the Korean hostilities had begun. The nature of the curriculum of these schools (see pp. 41–43, *supra*), clearly shows the illegal purpose behind the extensive measures adopted to conceal their existence.

Stringent concealment measures have accompanied the holding of conventions by the Respondent during periods of strict secrecy. Only the most trusted members of the Party have been permitted to attend such conventions. At the Massachusetts State Convention of the Communist Political Association held at Boston, Massachusetts, in 1945, and at the National Convention of the CPUSA at New York City in 1948, only those persons were admitted who could present proper credentials and, after elaborate security procedures, could establish their identity.

The location of the Ohio State Convention, held in December 1950, was not disclosed to the delegates for concealment reasons until shortly before the convention was held. Extensive precautions were taken to conceal the holding of a local convention in 1948 in Los Angeles. Like efforts surrounded the holding of the West Oakland (California) Section Convention in December 1950. Similar precautions surrounded a State Regional Convention of the CPUSA in California in January 1951. As at the other conventions held in California specified above, delegates to this January 1951 convention arrived at the convention hall in small groups after having been led there by a member who had been entrusted with knowledge of its location. The delegates remained at the hall during the entire session before being allowed to make their departure in small groups at intervals. Prior to departure the delegates were directed not to take a direct route home. On the following day, the second session of the convention was held at a different location under similar circumstances of secrecy.

Thus, it is clear that throughout its history, Respondent, for purposes of concealment and to promote its objectives, has held secret meetings restricted to trusted members.

9. *Reduction of Committee Membership for Security*

During the period of the Hitler-Stalin Pact, a period of strict secrecy, Respondent reduced the membership of its National Committee, state committees, and section committees for concealment purposes.

In 1948, the National Committee of Respondent issued a directive pursuant to which the size of all committees within the Party was reduced. In announcing this directive, Gus Hall, then Chairman of the Ohio Party, stated that the reduction of the State Committee of Ohio from approximately 50-odd members to about 11 members was being effected for "security" purposes. At the same time, the National Committee was reduced in number from about 55 to approximately a dozen members. At the National Convention of the CPUSA held in December 1950, the size of the National Committee was fixed at 13 members.

Respondent thus strives to conceal its activities through limiting the number of persons having access to vital information by reducing the size of its leading committees during the periods of strict secrecy.

10. Assignment of Members in Small Groups

During the mid-1930's, when less extensive concealment measures were in force within the Party, its clubs had memberships which generally averaged from 12 to 20 members. A number of these clubs joined together in neighborhood or industry branches, to form units of from 50 to 100 members. After the signing of the Hitler-Stalin Pact in 1939, Peters and Stachel, the former a Communist International representative and the latter a CPUSA leader, directed that a number of concealment measures be instituted, including the division of large branches of the Party into groups and the readying of the group system for functioning. Peters issued instructions to set up units of not more than five men with one man in charge, in preparation for the Party's going underground, and these instructions were substantially carried out. Units within the Party were enlarged after Hitler's attack on the Soviet Union in June 1941, in accord with the change which occurred on the political scene.

Beginning in 1948, the CPUSA operated under conditions of strict secrecy, dividing the membership in its basic clubs throughout the United States, including those of professional people, into groups of about five members. Greater precautions were taken to conceal the meetings of the professional groups than theretofore. Instructions were issued to all groups that members should not communicate with others outside their own particular group. Names of members in other groups were never to be mentioned at group meetings. Communication between the groups and other CPUSA units were to be made through group captains directly to section leaders. However, members have met in somewhat larger bodies on a few occasions since the establishment of the group system beginning in 1948, e. g., in connection with conventions within the Party, even though these conventions were themselves held under circumstances of great secrecy as discussed heretofore. A tightening up of the concealment system, including a more efficient operation of the group system, was announced at the West Oakland Section Convention in California during December 1950. The record shows clearly that the group system continued to function after this date in connection with the strict concealment measures which have been employed by Respondent. Respondent has thus formed members of its organization into smaller groups during periods of intense secrecy to conceal more effectively their identity and activities.

11. Underground Plans and Operation

Respondent has at all times maintained an underground or secret apparatus, even when the Party was operated on a comparatively open basis. The underground apparatus has been kept in readiness to assume leadership and to direct the functions of the Party during the periods when its leaders determine that underground operations are necessary in order to carry out Party activities. Extensive plans have been devised and great quantities of materials have been gathered in preparation for underground operations. Reserve sums of money have been set aside. Hideouts and secret storage space have been acquired. Mimeograph and printing equipment and materials have been assembled in secret hiding places. Reserve officials have been designated to perform, if the situation so demands, as leading functionaries of the Party. As related above, the membership of Respondent at various times has been divided into groups of five or even fewer persons, and confidential mailing addresses, couriers, and other secret devices have been employed in connection with the preparations for underground activities. During periods when Respondent's activities have been conducted with greater secrecy, preparations for underground operations have been intensified correspondingly, along with a like increase in the employment of many of the secret practices described herein.

Respondent went underground for several years in the early 1920's, maintaining a secret headquarters, holding secret meetings, and otherwise conducting its affairs on a secret basis. As its "legal" expression, it organized and dominated the Workers Party, an "open" organization consisting of both Party and non-Party members. The underground party was referred to as the No. 1 party while the "open" party, which the former controlled and dominated, was known as the No. 2 party. Pursuant to instructions received from the Communist International, the underground party was liquidated as such but the underground apparatus still remained. The "open" party, or Workers Party, was merged with the underground party and thereafter adopted the name Communist Party of the United States of America.

During the remainder of the 1920's as well as in the 1930's, various steps were taken to maintain and to extend the underground appartus, including the establishment of code systems. J. Peters, a Comintern representative, directed the underground apparatus in the United States during much of this period. At a secret CPUSA school in 1932, Peters instructed the underground members on the subject of illegal apparatus and its operation. His lectures were based upon a document in which the author, Lazar Kaganovich,[84] made suggestions based upon the experiences of the Bolsheviks under the Czarist regime in Russia. Peters returned to Hungary in 1949 by agreement with the Federal Immigration Authorities after a prolonged hearing following his arrest on a deportation warrant.

When the Party entered a period of strict secrecy after the signing of the Hitler-Stalin Pact in 1939, which continued until the invasion of the Soviet Union by Germany in June 1941, it undertook to strengthen the underground apparatus in preparation for taking the entire Party underground. Eugene Dennis, a high Party official, declared at a meeting of Party functionaries in late 1939 or early 1940, while the Soviet Union was an ally of Germany, that the secret measures then being placed into effect must be completely established and adhered to so that, if the United States joined Great Britain in the war against Hitler, the Party would be prepared to turn such an "imperialist" war into a civil war, as Lenin advocated. These measures were intended to place the Party on a complete war basis when put into effect. Various degrees of secrecy prevailed, some national leaders going partially underground. After the attack by Germany on the Soviet Union, many of these measures were relaxed.

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[84] Now a Deputy Premier of the Soviet Union.

During the 1930's, the World Travel Agency, of which Jacob Golos was for a period purportedly the head, arranged for visits of CPUSA members to the Soviet Union. Golos procured the tickets and expense money for such trips. In addition, Golos and the World Travel Agency were connected with a Soviet espionage agency during the period of 1936–1943. He acted as the liaison for communication between Respondent's members and the Soviet Secret Police agents operating in this country.

Extensive preparations for taking the Party underground were commenced in 1948 and are being carried out. Various measures were taken by the Party to strengthen its underground apparatus. By January 1950, Respondent had placed in effect throughout New York State a plan for the integration of about 10 percent, or about 3,000, of its members into a seven-level, vertical underground organization, known in the Party as "a system of threes" and patterned after the three-system of organization in effect in most of the countries in Europe when Communist parties there were underground. Thompson, a high Party official who has been convicted under the Smith Act, stated that this organizational setup was intended to function even if the Party as such should be declared illegal. In addition, portions of the New York State Party budgets for 1948 and 1949 were assigned to underground work.

Since 1948 and continuing on into early 1952, a large number of Party members have been severed from regular Party units and were either transferred to underground organizations, in order to assist in underground planning and to receive instructions in underground activities, or placed in a reserve leadership status.

Hence the record shows that throughout Respondent's existence it has undertaken elaborate measures to maintain an underground apparatus which makes and executes plans and assembles materials for underground work as a means of effectuating Respondent's objectives.

12. *Infiltration of Other Organizations*

Respondent has sent its members into various organizations in the United States for the purpose of gaining control of such organizations and influencing the policies of these organizations to support the CPUSA program. This policy has been employed by Respondent throughout its history. Pursuant to Respondent's directives its members have pursued this infiltration policy with respect to professional organizations, cultural organizations, fraternal organizations, and trade and industrial unions.[85] Secret Communist factions were planned or formed in these organizations for the ultimate purpose of obtaining control and making the policies of the organization subservient to those of Respondent. Students at Respondent's schools were taught the importance of infiltrating mass organizations as a means of acquiring mass support for the Party program. Party members designated to carry out infiltration work in mass organizations were instructed to use care not to expose the Party in these organizations. Members in such organizations were instructed to, and did, conceal their Party membership while in these organizations. At a regional party convention held in California in January 1951, speakers emphasized the need for Party members to infiltrate other organizations through which the purposes of the Party could be carried out.

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[85] See 67–71, *supra*, for more detailed discussion of trade union activity.

13. Purpose of Secret Practices

Respondent in its amended answer and through its witnesses acknowledges that it engages in certain clandestine practices, but it contends that such activity is not for the purpose of concealing foreign direction, domination, or control. Respondent's witness Gates testified that such practices have "nothing whatsoever to do with concealing the views or the program of the Communist Party" and further that they are the response to repressive measures taken against the Party and its members and are intended merely to "protect the constitutional rights of members of the Communist Party."

It is patent that these secret practices are not adopted by Respondent for the purpose which it asserts. This conclusion is inevitable when the secret practices are examined in the light of the whole record and all the surrounding circumstances under which they were and are performed. A short recapitulation of pertinent evidence will demonstrate this.

The underlying philosophy of the Communist movement is contained in the doctrine of Marxism-Leninism, the real nature of which is described in other portions of these findings. Implicit therein are secrecy and concealment to effectuate attainment of its objectives. It is the aim of Respondent to bring about the dictatorship of the proletariat by violent means if necessary and to help the Soviet Union in the event of a war between that country and the United States. (See pp. 118–128, infra.) Members were taught in Party Schools that "there is no moral law for a Communist Party member except the success of that to which he has dedicated himself, that is to say, the classless society * * *, no oath, no statement in court, no consideration of any kind can come before the question of whether it helps or hurts the Party * * * they were to testify or to make affidavit or whatever it may be in accordance with the needs of the Party at that time and irrespective of the actual truth." Instances are shown wherein certain of Respondent's members swore falsely in court; false statements were made by CPUSA members in passport applications; and a high Communist official, J. Peters, was hidden by members of Respondent from Government authorities who were seeking him in a deportation case. It was basic in the *Theses and Statutes of the Third (Communist) International*, to which Respondent has adhered, that both open and secret nuclei be formed to carry on the work of propaganda and education under the control and discipline of the Central Committee of the Party; and that members were required to join in unlawful work and unlawful organizations if necessary for the Party's purposes. In addition, the conspiratorial nature of the Party must be considered. Stalin in the pamphlet, *Stalin's Speeches on the American Communist Party* (May 1929), in discussing the disruptive effect of factionalism, states: "as a result of which the whole internal life of our Party is robbed of its *conspirative* protection in the face of the class enemy," [italic supplied] (Pet. Ex. 109, p. 29). There is also evidence that in the 1939 to 1941 period "the whole organization was on a conspiratorial basis" and the schools were conducted "in accordance with the rules of conspiracy." It was taught by Respondent in 1939 that "the purpose of this secrecy was to prevent the law-enforcement agencies" from getting information concerning the CPUSA "because it destroys the conspiratorial nature of the Party movement itself."

In 1940, in order to conceal its true status registration statements were filed by the *Daily Worker* under the Foreign Agents Registration Act which falsely made it appear that it did not come within the provisions of that Act.

Secrecy and concealment have been continuous and have not been limited to the period when Respondent felt it was under particular stress. There was, however, a fluctuation in the degree of secret activity. Thus, during the period of the Hitler-Stalin Pact, Eugene Dennis stressed the underground activity of the CPUSA and the necessity for attaining readiness for civil uprisings in the event the United States joined the Allies against Germany. After 1945, there was an intensification of secret practices. In July 1950, members were told that the world situation had created considerable alarm in Respondent and that consequently the Party was adopting stricter "security" measures. Shortly afterward, a reorganization took place for that reason; Respondent's clubs were divided into small groups and its members were identified by numbers instead of names. The Marxist Institute in Los Angeles, California, and the Marxist-Leninist Institute in Oakland, California, were conducted during late 1949 and part of 1950, with great secrecy. A regional convention was held in January 1951 in California, under conditions of extreme secrecy. At this convention there were speeches on the so-called peace campaign, on world conditions and on the necessity for stricter security measures.

Viewed against this background, it is established that such practices as secret memberships, hidden meetings of small groups, the acquisition of easily transported mimeograph machines, cryptically wording constitutions, the use of couriers and the restricted use of the mails and telephone, are not undertaken for the innocent purpose which Respondent seeks to ascribe to them. Nor can the infiltration of organizations, such as labor unions, be regarded as having a bona fide purpose. The evidence shows that the reason for such infiltration is to dominate such organizations for the Respondent's purposes. That this is basic can be seen from a book by Lenin entitled "*What Is To Be Done*," which Respondent's members read and studied. In this book, Lenin declares that Trade Unions are "a very useful auxiliary to the political, agitational, and revolutionary organizations" and that they can be controlled by "a small compact core" of agents "connected by all the rules of strict secrecy with the organizations of revolutionists" (Pet. Ex. 417, pp. 109–112).

We conclude that the secret practices undertaken by Respondent are for the purpose of concealing the true nature of the Party and promoting its objectives. We cannot accept Respondent's contention that its secret practices are merely devices utilized to protect the rights and liberties of its members.

Upon the basis of the foregoing and on the whole record, we find that Respondent engages in extensive secret practices, within the meaning of the Act, for the purpose of promoting its objectives and thereby to advance those of the world Communist movement; and for concealing its direction, domination, and control by the Soviet Union.

H. ALLEGIANCE

Section 13 (e) (8) of the Act requires that the Board consider:

> the extent to which its [Respondent's] principal leaders or a substantial number of its members consider the allegiance they owe to the United States as subordinate to their obligations to such foreign government or foreign organization.

The petition alleges:

> From 1919 to the date of the filing of this petition, the leaders of the Communist Party and a substantial number of its members have considered the allegiance they owe the United States as being subordinate to their loyalty and obligations to the government of the Soviet Union.

The petition further contains six specific allegations [86] which, if true, would show that Respondent's principal leaders and members consider the allegiance they owe the Soviet Union to be paramount to that owed the United States. Since the evidence of record which pertains to allegiance is broader in scope than Petitioner's specific allegations, we will not confine our findings of fact to the form of these specific allegations.

The evidence shows that a basic aim of Marxism-Leninism is the establishment of dictatorships of the proletariat in all non-Socialist countries of the world, and that Respondent adheres to and works to attain this goal in the United States.[87] The Marxist-Leninist Classics define dictatorship of the proletariat and demonstrate that it must be established by the forceful overthrow of existing non-socialist governments.

Stalin in *Problem of Leninism* (Pet. Ex. 138, pp. 26–27) defines the dictatorship of the proletariat according to its fundamentals:

> Hence there are three fundamental aspects of the dictatorship of the proletariat.
>
> (1) The utilisation [sic] of the power of the proletariat for the suppression of the exploiters, for the defense of the country, for the consolidation of the ties with the proletarians of other lands, and for the development and the victory of the revolution in all countries.
>
> (2) The utilisation of the power of the proletariat in order to detach the toiling and exploited masses once and for all from the bourgeoisie, to consolidate the alliance of the proletariat with these masses, to enlist these masses in the work of socialist construction, and to assure the state leadership of these masses by the proletariat.
>
> (3) The utilisation of the power of the proletariat for the organisation [sic] of socialism, for the abolition of classes, and for the transition to a society without classes, to a society without a state.
>
> The dictatorship of the proletariat is a combination of all three aspects. None of these three aspects can be advanced as the *sole* characteristic feature of the dictatorship of the proletariat. On the other hand, it is sufficient for but one of these three characteristic features to be absent, for the dictatorship of the proletariat to cease being a dictatorship in a capitalist environment. * * *

In the following quotation, Stalin, with Lenin's help, reveals that the dictatorship of the proletariat must be installed through use of force by Communist minorities, independently of the will of the majority of the population, and that attempting to utilize peaceful means to do so is not to be considered:

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[86] These allegations are to the effect that the Soviet Union is the fatherland of the world Communist movement which all Communists are obligated to support and defend; the Red flag has been and is the flag to which Communists owe allegiance; all American Communists must support and defend the Soviet Union in war with any nation; in event of war between the United States and the Soviet Union, they must work for the defeat of the United States; some of Respondent's present leaders took an oath to Stalin at the Seventh World Congress of the Comintern; and, to leaders and members of Respondent, "patriotism" means solidarity with the Soviet Union.

[87] See Marxism-Leninism, pp. 21–44, *supra*.

> To think that such a revolution can be carried out peacefully within the framework of bourgeois democracy, which is adapted to the domination of the bourgeoisie, means one of two things. It means either madness, and the loss of normal human understanding, or else an open and gross repudiation of the proletarian revolution.
>
> It is necessary to insist on this all the more strongly, all the more categorically, since we are dealing with the proletarian revolution which has for the time being triumphed in only one country, a country surrounded by hostile capitalist countries, a country the bourgeoisie of which cannot fail to receive the support of international capital.
>
> That is why Lenin states that "* * * the liberation of the oppressed class is impossible not only without a violent revolution, *but also without the destruction* of the apparatus of state power, which was created by the ruling class * * * (*Collected Works*, Vol. XXI, Book II, p. 155. Also *State and Revolution*, Little Lenin Library, p. 9).
>
> "First let the majority of the population, while private property is still maintained, that is while the power and oppression of capital are maintained, declare itself for the party of the proletariat. Only then can it, and should it, take power. That is what is said by *petty-bourgeois democrats who call themselves "socialists" but are really the henchmen of the bourgeoisie.* [My italics—J. S.]
>
> "*But we say:* Let the revolutionary proletariat first overthrow the bourgeoisie, break the yoke of capital, break up the bourgeois state apparatus. Then the victorious proletariat will speedily gain the sympathy and support of the majority of the toiling nonproletarian masses by satisfying their wants at the expense of the exploiters. [My italics—J. S.] (*Collected Works*, Vol. XXIV, p. 647, Russian edition.)
>
> "In order to win the majority of the population to its side," Lenin continues, "the proletariat must first of all overthrow the bourgeoisie and seize state power and, secondly, it must introduce Soviet rule, smash to pieces the old state apparatus, and thus at one blow undermine the rule, authority and influence of the bourgeoisie and of the petty-bourgeois compromisers in the ranks of the nonproletarian toiling masses. Thirdly, the proletariat must *completely and finally destroy* the influence of the bourgeoisie and of the petty-bourgeois compromisers among the *majority* of the nonproletarian toiling masses by the *revolutionary* satisfaction of their economic needs *at the expense of the exploiters,*" (ibid, pp. 20–21).

Stalin also emphasizes that it is false for Communists to consider that such a thing as "peaceful evolution" from "bourgeois democracy" into a "proletarian democracy" is possible:

> Marx's qualifying phrase about the Continent gave the opportunists and Mensheviks of all countries a pretext for proclaiming that Marx had thus conceded the possibility of the peaceful evolution of bourgeois democracy into a proletarian democracy, at least in certain countries outside the European continent (England, America). Marx did in fact concede that possibility, and he had good grounds for conceding it in regard to England and America in the seventies of the last century, when monopoly capitalism and imperialism did not yet exist, and when these countries, owing to the special conditions of their development, had as yet no (sic) developed militarism and bureaucracy. That was the situation before the appearance of developed imperialism. But later, after a lapse of thirty or forty years, when the situation in these countries had radically changed, when imperialism had developed and had embraced all capitalist countries without exception, when militarism and bureaucracy had appeared in England and America also when the special conditions for peaceful development in England and the United States had disappeared—then the qualification in regard to these countries necessarily could no longer hold good (*Foundations of Leninism*, Pet. Ex. 121, p. 55).

The following quotation is a reaffirmation by Stalin of the necessity of overthrowing "bourgeois" governments by forcible means:

> Therefore, Lenin is right in saying:
>
> "The proletarian revolution is impossible without the forcible destruction of the bourgeois state machine and the substitution for it of a *new one* * * *" (*Selected Works*, Vol. VII, p. 124) (ibid, at p. 56).

The foregoing is but an illustrative portion of the abundant utterances of the Classics relating to the nature and means of effectuation of the dictatorships of the proletariat throughout the world. They have not been taken out of context; they are embedded in the sense of these writings and mean what they say.

Although we have heretofore set forth under the heading "Marxism-Leninism" a review of the evidence and our finding that Respondent's aherence to Marxism-Leninsim has implicit in it complete subservience to the fundamental principles thereof—that the Classics are binding upon Respondent in all fundamentals; it is desirable, because of the principles and policies of the Classics concerning allegiance to the Soviet Union, and particularly the necessity for the overthrow of existing "imperialist" governments, including, *inter alia*, the United States, to summarize here, by way of review, some of the evidence establishing Respondent's present adherence to the Classics.

In 1945, when Respondent reverted to the name Communist Party of the United States of America (maintaining the basic organizational form under which it presently operates), William Z. Foster announced to the membership, in substance, that the Classics assumed an even greater importance, and said that "as never before, we must train our Party in the fundamentals of Marxism-Leninism" (Pet. Ex. 372, p. 788). Alexander Trachtenberg in 1949 declared to a group of Respondent's members meeting in Washington, D. C., that Party leaders must know the Classics and be able to apply their principles to any current situation at any time. Petitioner's witness Matusow shows that in the Party the *Communist Manifesto*, though 100 years old, "is just as relevant today as it was in 1848 when it was written." The Classics were in use by the Party, to Matusow's knowledge, in December 1950. Marxism-Leninism, as embodied in the Classics, provided the basis of what Petitioner's witness Lautner taught and was taught at Respondent's National Training School. The Classics were used in the Marxist-Leninist Institute in Los Angeles which Petitioner's witness Evans attended until it was discontinued in June 1950.

It is established that the above Classics have been used in study courses during the years 1945–1950, for use in teaching Respondent's members.

A recent article by Alexander Bittelman, a CPUSA leader, states:

> A theoretical contribution of Stalin which, *like the Foundations of Leninism and his other theoretical works, ranks with the fundamental theoretical and philosophical works of Marx, Engels and Lenin*, is the *History of the Communist Party of the Soviet Union*. The *History* is a fountainhead of Marxist-Leninist knowledge—theory, ideology, strategy, tactics, principles of organization. It is a guide to Marxist-Leninist action. It embodies the theoretical and programmatic positions of Marxism-Leninism (*Political Affairs*, December 1949, Pet. Ex. 373, p. 8). [Italic supplied.]

The same highly placed author, in January 1952, states:

> Lenin's teachings are triumphing because they are true. The teachings of Lenin, further developed by Stalin, demonstrate their creativeness and cogency in all the great progressive struggles of our day and epoch. Lenin's teachings inspire the actions of the vanguard fighters for peace and democracy. Peoples fighting for equal rights and national independence find their advance fighters and leaders guided by the teachings of Lenin, so brilliantly continued and further developed by Stalin. And the magnificent historic fight of our epoch—the fight for socialism, for Communism—whose grandeur overshadows all of the great previous achievements of mankind, crowning them with the realization of the noblest aspirations and dreams of the human race—this historic fight, we are

proud to say, is guided by the teachings of Lenin and of his great continuer Stalin. It is led by parties of Marxism-Leninism, by Communist and Workers Parties (*Political Affairs*, Pet. Ex. 489, p. 1).

In addition to the documentary evidence, it was established through the testimony of Petitioner's witnesses Gitlow, Kornfeder, Nowell, Crouch, Honig, Johnson, Meyer, Hidalgo, Matusow, and Budenz, among others, that the CPUSA in reality advocates the overthrow of the government of the United States by force and violence. The membership of the above witnesses in the CPUSA spanned the entire existence of the Party until January 1951. Their various positions therein ranged from high offices to rank and file Party membership. All were in a position to know whereof they spoke.

Respondent engaged in extensive cross-examination of these witnesses on their testimony concerning force and violence and also examined its own witnesses at some length on this subject, thus joining issue thereon.

In essence, Respondent's witnesses testified that the CPUSA does not seek to overthrow the government of the United States by forcible means but rather it seeks to establish its program by peaceful means within the framework of the United States Constitution; that "force and violence" as referred to by Respondent comes into play only in the event that the duly elected "socialist" government is subject to "counter revolutionary" force by the unseated capitalist-monopolists; it then advocates meeting such an attempt by force to maintain their position. Respondent points to language in its 1945 and 1948 Constitutions (Pet. Exs. 329 and 374, respectively) which embraces the United States Constitution. On the other hand, Petitioner's witnesses establish that the principles of "scientific socialism, Marxism-Leninism," as used in Respondent's Constitution and other writings, have a definite meaning to CPUSA members,[88] i. e., that the basic goal of Respondent, founded on the writings of Marx, Engels, Lenin, and Stalin, namely, the establishment of the dictatorship of the proletariat, can be attained only by the violent shattering of the "bourgeois" state, and this includes the government of the United States.

It is established that such language in these Constitutions of Respondent, and other similar statements embracing the Bill of Rights and the United States Constitution, are irreconcilable with Marxist-Leninist principles, and are devices to clothe a conspiracy against the United States Government in the habiliments of legality. The testimony of Respondent's witnesses, as set forth above, is likewise rejected as being irreconcilable with the great weight of the evidence.

The testimony of Petitioner's witnesses establishes that, pursuant to the preachments of the Classics, the CPUSA seeks to overthrow the existing government in the United States, and its institutions, by forcible means, and to establish a dictatorship of the proletariat in proceeding to establish socialism."[89]

We are also mindful that the evidence in this proceeding discloses, and we officially notice, that most of Respondent's foremost leaders, despite contentions like those made by Respondent in this proceeding, were recently convicted under the statute known as the Smith Act (Title 18, Secs. 11 and 13, United States Code) of conspiring to teach and advocate the overthrow of the United States government by force and violence; and that the convictions of eleven such leaders which have been reviewed by the Supreme Court of the United States have been upheld (341 U. S. 494; Rehearing denied, 342 U. S. 842).

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[88] See Secret Practices for further details re "protective language," pp. 107-108, *supra*.

[89] See Marxism Leninism, pp. 21-44, *supra*.

Respondent's adherence to and implementation of a concept requiring the overthrow of the United States Government by any means, including force and violence, is completely incompatible with, and the exact antithesis of, allegiance to the United States. This becomes even more clear when we examine additional international aspects of Marxism-Leninism from which this concept flows.[89]

The Classics reveal that the requirement of paramount allegiance to the Soviet Union is but the natural corollary of the Soviet Union's position as leader of the world Communist movement and fatherland of the world proletariat. Consequently, the basic postulates of Marxism-Leninism, (a) protection of the Soviet Union, and (b) destruction of capitalist states and the establishment, ultimately, of world Communism, impinge directly upon allegiance. In the infancy of the Soviet Union, Lenin, as cited by Stalin in *Problems of Leninism* (Pet. Ex. 138, p. 19), evaluated its international position as involving inevitable clashes with imperialist states and proclaims the necessity for the Soviet Union to call forth the world revolution:

> The second enormous difficulty was * * * the international question. If we were able to cope so easily with Kerensky's bands, if we so easily established our power, if the decree on the socialisation of the land and on workers' control, was secured without the slightest difficulty—if we obtained all this so easily it was only because for a brief space of time a fortunate combination of circumstances protected us from international imperialism. International imperialism, with all the might of its capital and its highly organized military technique, which represents a real force, a real fortress of international capital, could under no circumstances, under no possible conditions, live side by side with the Soviet republic, both because of its objective situation and because of the economic interests of the capitalist class which was incorporated in it, it could not do this because of commercial ties and of international financial relationships. A conflict is inevitable. This is the greatest difficulty of the Russian Revolution, its greatest historical problem: the necessity to solve international problems, the necessity to call forth the world revolution (*Collected Works*, Vol. XXII, pp. 315–317, Russian Edition).

That protection and security of the Soviet Union is fundamental to the world Communist movement is clear from Stalin's statement:

> The final victory of socialism is a complete guarantee against attempted intervention, and that means against restoration, for any serious attempt at restoration can take place only with support from outside, only with the support of international capital. Hence the support of our revolution by the workers of all countries, and still more the victory of these workers in at least several countries, is a necessary condition for completely guaranteeing the first victorious country against attempts at intervention and restoration, a necessary condition for the final victory of socialism. (A quotation of Joseph Stalin cited by him in his *Problems of Leninism*, *supra*, at p. 64.)

The Classics make it plain that the Soviet Union, fostering its own security, will work toward the destruction of capitalism by developing revolutions in all countries. Stalin quoting Lenin:

> Lenin expressed this thought in a nutshell when he said that the task of the victorious revolution is to do the utmost possible in one country *for* the development, support and awakening of the revolution *in all countries* (*Selected Works*, Vol. VII, p. 182) (*Foundations of Leninism*, Pet. Ex. 121, p. 46).

Stalin elaborates on this international aspect in setting forth the "absolute law" of capitalist development and of world revolution:

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[89] See Marxism-Leninism, pp. 21-44, *supra*.

> Uneven economic and political development is an absolute law of capitalism. Hence, the victory of socialism is possible, first in a few or even in one single capitalist country taken separately. The victorious proletariat of that country, having expropriated the capitalists and *organized its own socialist production* [my italics—J. S.] would rise against the rest of the capitalist world, attract to itself the oppressed classes of other countries, raise revolts among them against the capitalists, and in the event of necessity, come out even with armed force against the exploiting classes and their states (*Collected Works*, Vol. XVIII, p. 272) (*Problems of Leninism, supra*, at p. 69).

Stalin in *Foundations of Leninism* (Pet. Ex. 121, pp. 90–91) states in capsule form the strategy applicable to the various stages of the revolution, which depicts the Soviet Union as the "base" for the overthrow of "imperialism":

> Our revolution already passed through 2 stages, and after the October Revolution it has entered a third stage. Our strategy changed accordingly.
>
> * * * * * * *
>
> Third stage. Commenced after the October Revolution. Objective: to consolidate the dictatorship of the proletariat in one country, using it as a base for the overthrow of imperialism in all countries. * * *

The hegemony exercised by the Soviet Union over the world Communist movement is that of originator and founder:

> Is it surprising, after all this, that a country which has accomplished such a revolution and possesses such a proletariat should have been the birthplace of the theory and tactics of the proletarian revolution?
>
> Is it surprising that Lenin, the leader of this proletariat, became the creator of this theory and tactics and the leader of the international proletariat? (*ibid*, p. 19).

The leadership of the Soviet Union is openly lauded in the *Programme of the Communist International* (Pet. Ex. 125, p. 27):

> Thus, the system of world imperialism, and with it the partial stabilization of capitalism, is being corroded from various causes: First, the antagonisms and conflicts between the imperialist states: * * * and lastly, the hegemony exercised over the whole world revolutionary movement by the proletarian dictatorship in the U. S. S. R. The international revolution is developing.
>
> In view of the fact that the U. S. S. R. is the only fatherland of the international proletariat, the principal bulwark of its achievements and the most important factor for its international emancipation, the international proletariat must on its part facilitate the success of the work of Socialist construction in the U. S. S. R. and defend her against the attacks of the capitalist powers by all the means in its power (*ibid*, p. 65).

The Soviet Union being the fatherland or home base of the world revolution, the leaders of the Soviet Union serve also as leaders of the organized world Communist movement. Hence, the Communist International, the Soviet Union, and Stalin were given pledges of allegiance by Respondent's leaders and members as shown by the evidence which we now set forth.

Nowell, a former CPUSA official who testified for the Petitioner in this proceeding, took an oath upon joining the CPUSA (in 1929) to carry out the Party line and to adhere to the principles of the Comintern at all times.

Earl Browder read a pledge to 2,000 workers who were initiated into the CPUSA in the New York District in 1935. Part of this pledge read as follows:

> I pledge myself to rally the masses to defend the Soviet Union, the land of victorious socialism. I pledge myself to remain at all times a vigilant and firm defender of the Leninist line of the Party, the only line that insures the triumph of Soviet Power in the United States (Pet. Ex. 145, p. 105).

At Madison Square Garden in New York City in 1937, about 3,000 new recruits to the Party pledged, among other things, to uphold and advance the program of the Communist Party, as well as their "complete devotion to the Leninist struggle for socialism—for a Soviet America."

At the Seventh World Congress of the Communist International at Moscow in 1935, delegates from the CPUSA, including some of the present leaders of the Party, took an oath of fealty, "To Comrade Stalin, leader, teacher, and friend of the proletariat and oppressed of the whole world" whom they assured that "the Communists will always and everywhere be faithful to the end and to the great and invincible banner of Marx, Engels, Lenin, and Stalin" and that "under this banner, Communism will triumph throughout the world."

The delegation of Respondent to this Congress approved this oath of fealty to Stalin and two of the delegates, Browder and Foster, were elected at this Congress to the Presidium of the Executive Committee of the Communist International. Subsequently, the decisions of the Seventh Congress of the Communist International and the work of the CPUSA delegation at that Congress were fully approved by the Central Committee of Respondent.

Of the nine members of the delegation to the Seventh World Congress of the Communist International who took and approved this oath to "Comrade Stalin," six, namely, William Z. Foster (National Chairman), John Williamson (Labor Secretary), Gilbert Green, Jack Stachel, William Schneiderman, and Martha Stone, are presently leaders of the CPUSA. At the 15th National Convention of the CPUSA, held between December 28–31, 1950, the Party elected these six members or alternate members of its National Committee.

After this 1935 Congress of the Communist International, all Communist leaders and functionaries had to take a basic pledge or oath of loyalty to Stalin.

Foster, as the principal speaker at the 1948 Ohio State Convention of Respondent, stated that the CPUSA in Ohio should elect as leaders only those individuals upon whom they could depend in the event of a war between the Soviet Union and the United States.

In 1949, the CPUSA published a message to Stalin in which the Party accused the United States Government of violating the commitments made at Yalta and at Potsdam and referred to the existing government as "American imperialists." This message, in effect, constituted a reaffirmation by the CPUSA of its loyalty and a further acknowledgment of Stalin's leadership of the world-wide Communist movement.[90]

Twelve of the thirteen members of the National Committee of the CPUSA, who were elected at the 15th National Convention of the Party held December 28–31, 1950, and three of the alternates have been convicted under the Smith Act as heretofore noted. Four of those convicted, namely, Williamson, Green, Schneiderman, and Stachel, were among those leaders of Respondent who took an oath of fealty to Stalin at the Seventh World Congress of the Communist International at Moscow in 1935. The record does not disclose that any of these CPUSA leaders who have taken oaths of fealty to Stalin have ever repudiated the oaths, or that Respondent has repudiated their action.

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[90] See Training and Reporting, pp. 89–98, *supra*.

That the allegiance owed the Soviet Union by Respondent's leaders and members is paramount to that owed to the United States is further borne out by the record. The evidence establishes numerous instances in the past where Respondent and its leaders have urged its members to defend the Soviet Union, even in the event of a war between that country and the United States of America. The slogan "Defend the Soviet Union," has been used in this regard.

Respondent's students at the Lenin School in Moscow, in the period between 1927 and 1937, were taught that the role of the CPUSA, in the event of war between the Soviet Union and the United States, is to support and defend the former and to labor for the defeat of the latter.

Early in its history, the CPUSA regarded as one of its purposes or duties the defense of the Soviet Union as the fatherland of the working classes all over the world. All new members of Respondent were instructed between 1927 and 1939, that the first and only allegiance of a Party member is to the workers' fatherland, namely, the Soviet Union, and not to any capitalist government.

A Red flag, brought from Moscow in 1929 by one of Respondent's members, was displayed at lectures on the Soviet Union. The use of the flag of the Soviet Union at a Communist camp in Michigan during the early 1930's, and up to 1936, was intended to signify the fatherland of the working class, or Communism as practiced in the Soviet Union, as well as to make friends for the Soviet Union, and to draw the American people nearer to Communist ideology and the CPUSA.

Two members of Respondent's Central Committee criticized a Party official for authorizing the flying of the American flag in a Fourth of July parade in 1934.

In 1935, Dimitri Z. Manuilsky, then head of the Communist International, told Respondent's delegates to the Seventh World Congress of the Communist International in Moscow, at a meeting immediately prior thereto, that the first allegiance of all CPUSA members was to the workers' fatherland, the Soviet Union. Manuilsky demanded that the subject of allegiance again be stressed throughout the lower ranks of Respondent. Students at Respondent's schools in the United States, particularly in 1932 and 1936 to 1941, were taught that the first and only allegiance of a Party member is to the Soviet Union, the fatherland, rather than to the United States.

A document in which the defense of the Soviet Union is urged, The Communist Party: *A Manual On Organization*, by J. Peters, was used during the 1940's as reference material by CPUSA officials.

Students at the Communist Midwest Training School in Chicago were taught in December 1945, that the Communist forces throughout the world owe their allegiance to the Soviet Union. Party members were taught at Respondent's meetings in 1948 that they owe allegiance to the "democratic forces" of the world and that the Soviet Union represents such forces.

Petitioner's witness Lautner, a former high official of Respondent, learned from his varied experience in the Party from November 1929 until January 17, 1950, that the primary duty of a CPUSA member lies in the defense of the Soviet Union. A CPUSA leader in November 1950 denounced the United States for inciting war against the Soviet Union. He urged Party members to respond to "imperialist slanders and war incitements" by an "ideological and political offensive in the defense of the Soviet Union as the leader of the world camp of peace, democracy and Socialism," as well as "to support and defend the peace policy of the Soviet Union."

This evidence takes on clearer meaning when it is viewed against the Marxist-Leninist concept of "imperialism", and its corollary "just and unjust wars." [91]

The Classics are specific on the question of war as is exemplified by the following quotation from the *History of the Communist Party of the Soviet Union* (*Bolsheviks*) (Pet. Ex. 330, pp. 167–168):

> It was not to *every kind* of war that the Bolsheviks were opposed. They were only opposed to wars of conquest, imperialist wars. The Bolsheviks held that there are two kinds of war:
>
> (a) *Just* wars, wars that are not wars of conquest but wars of liberation, waged to defend the people from foreign attack and from attempts to enslave them, or to liberate the people from capitalist slavery, or, lastly, to liberate colonies and dependent countries from the yoke of imperialism; and
>
> (b) *Unjust* wars, wars of conquest, waged to conquer and enslave foreign countries and foreign nations.
>
> Wars of the first kind the Bolsheviks supported. As to wars of the second kind, the Bolsheviks maintained that a resolute struggle must be waged against them to the point of revolution and the overthrow of one's own imperialist government.

In applying this basic concept, it was taught at the Lenin School in Moscow, and by Respondent at its schools and meetings during its entire existence, that a "just" war is any war in which the Soviet Union has as an adversary an imperialist power, regardless of whether the Soviet Union is the aggressor or the defender; and that any war between a colony and its mother country is a "just" war for the colony. Conversely, any war against the Soviet Union, regardless of which nation might be the aggressor, is an "unjust" war for the Soviet Union's adversary.

In the event of war between two capitalist countries, the Communist role is to work for the destruction of both, thus leaving to the Soviet Union a clear path for future conquest. [92] In the event of a war between the Soviet Union and the United States, however, CPUSA members are to work for the defeat of the United States.

The students at the National Training School of the CPUSA in New York City in about 1932, were taught that in the event of such a war, it was the duty of every Communist to help defeat the United States and to secure the victory of the Soviet Red Army; and that Communist cells in the American armed forces should work for the demoralization of such forces.

Browder stated in 1938, that in the event of a war between the Communist and non-Communist worlds, the task of the Party is to work for the victory of the Soviet Union, and world Communism.

The CPUSA, adhering to the principles of Marxism-Leninism, has consistently characterized the United States as an "imperalist" and a "capitalist" nation which by definition can participate only in "unjust" wars. Any war among capitalist countries or by a capitalist nation against a "socialist" country, such as the Soviet Union, is considered by Respondent to be an "unjust" war. However, the Soviet Union or any other "socialist" countries are upheld as "anti-imperialist" nations which cannot possibly start an "unjust" war; any war participated in by "socialist" nations is considered by

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[91] See Marxism-Leninism, pp. 21-44, *supra*.

[92] It is interesting to advert here to the history of the Nazi-Soviet Pact as related in our findings herein under Nondeviation, pp. 82-83, *supra*.

Respondent to be a "just" war from the standpoint of such nations. In fact, in 1949, Foster and Dennis, leaders of Respondent, wrote in the Party publication, *Daily Worker*, that Respondent would oppose a "Wall Street" war as "unjust, aggressive, and imperialist." Thus, the war in Korea is considered by Respondent to be a "Wall Street" war. In this connection, the United States has been portrayed by Respondnent as the leader of all the imperialist nations bent on world conquest, while the Soviet Union is pictured as the peace-loving leader of the anti-imperialist nations.

In 1940, Eugne Dennis discussed with witness Budenz the steps to be taken by Respondent to turn the "imperialist" war into a civil war in this country, should the United States join with Great Britain against the Hitler-Stalin combine.

Students were taught in CPUSA schools in 1941 and 1947, that imperialism is worldwide and that a worldwide organization is necessary to bring about its downfall; further, that the world Communist movement is such an organization.

In December 1948, Henry Winston, National Organizational Secretary and a member of Respondent's National Committee, stated that the question of industrial concentration and placing of members of the CPUSA youth movement in the basic industries was particularly important at that time because, in the event of an "imperialist" war, their presence would be necessary in order to mobilize workers against this war, to slow down production, and to do whatever possible to make certain that such an "unjust" war is not successful. Winston is one of those convicted of a violation of the Smith Act, referred to earlier.

The position the CPUSA stressed in 1949[93] was that there were two camps in the world: one, the "imperialist" camp led by the United States, and the other camp of the "forces for peace and democracy" led by the Soviet Union; and, that everything must be done to support the latter as against the former. In order to accomplish this objective, Respondent took the position that it should build and expand its Marxist-Leninist ideology.

At a secret meeting of Respondent in Baltimore in 1949, it was agreed that its members would not bear arms for the United States in the event of any conflict between the United States and the Soviet Union.

Students at the Marxist-Leninist Institute in Los Angeles from April 1949 to June 1950, were taught that the Soviet Union could at no time start an "unjust" war while the United States could start an "unjust" war but never a "just" one; further, that a good Communist must support a nation engaging in a "just" war and oppose an "unjust" war.

The position of the CPUSA at the present time is that the Korean War is an "unjust" war which the United States and her allies are waging as aggressors against the North Korean and Chinese peoples.[94]

From the evidence contained in this record, we find that Respondent exists in this country fundamentally for the purpose, which it constantly seeks to accomplish, of overthrowing the Government of the United States by force and violence, in order to install "socialism" under the dictatorship of the proletariat, after the manner of the Soviet Union; this is the very antithesis of allegiance to the United States.

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[93] See also Imperialism re this position of Respondent, p. 49, *supra*.

[94] See Nondeviation, p. 84, *supra*.

We find upon the whole record that the evidence preponderantly establishes that Respondent's leaders and its members consider the allegiance they owe to the United States as subordinate to their loyalty and obligations to the Soviet Union.

II. LEGAL DISCUSSION

Respondent attacks the Recommended Decision asserting it does not fulfill its function, and that it cannot be relied upon by the Board because it allegedly misstates the record, fails to present relevant matters, and confuses the record and issues. Respondent sets forth specific instances which it contends are illustrative of the above alleged errors.

We have heretofore reviewed these matters, along with Respondent's overall exception to the Recommended Decision (No. 310), in disposing of its motion of November 24, 1952, to strike the Decision. As indicated in our Memorandum Opinion and Order of February 24, 1953, denying Respondent's motion, we have completely analyzed and evaluated anew all the evidence in this proceeding, considering all exceptions and contentions of the Parties. Our findings in this report contain only that substance from the Recommended Decision, which we, after an independent evaluation of the record, have confirmed as being supported by a preponderance of the evidence.

Respondent next contends that the Panel admitted both oral and documentary evidence of Petitioner without a proper foundation of competency. It cites examples which it claims are egregious. Respondent argues that while allowing boundless latitude to Petitioner, the Panel erroneously curtailed its cross-examination of all of Petitioner's witnesses, as well as the submission of its proof. It asserts that the Panel erred in refusing to require production of reports and memoranda turned over to the Federal Bureau of Investigation by Petitioner's witnesses, in restricting its cross-examination designed to show that Petitioner's witnesses were not credible, in excluding "various" exhibits offered by Respondent, and in its rulings regarding the evidence relating to the nondeviation criterion of the Act.[95] We have considered each of these specific allegations and we find no substantive error regarding the matters alleged by Respondent. Nor can we find any reasonable justification for Respondent's assertion that the Panel restricted its proof and its cross-examination of witnesses. It is noteworthy that Respondent cross-examined Petitioner's witnesses exhaustively and at great length. It was afforded every opportunity to present all material and relevant evidence, to the fullest. Any shortcomings in this respect must lie with Respondent.

Respondent further contends that the Recommended Decision does not rest on evidence of its activities subsequent to the effective date of the Act, but rather that it rests on certain "props" which assertedly are contrary to the evidence and the law. Respondent defines these "props" as the Panel's suggestion that the dissolution of the Comintern in 1943 was not real and that there is some relationship between Respondent and the Cominfrom; the Panel's conception (a) of Marzism-Leninism, (b) of the Comintern, (c) that Respondent's disaffiliation therefrom in 1940 was not real, and (d) that the formation of the Communist Political Association and the reconstitution of the CPUSA were on orders from Moscow.

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[95] We have disposed of this latter contention in our discussion concerning nondeviation, pp. 79–82, *supra*.

Specifically with respect to the Panel's concept of Marxism-Leninism and its reliance thereon, Respondent argues that the decision in *Schneiderman* v. *United States*, 320 U. S. 118, "held that the principles of Marxism-Leninism, as expressed in classical Marxist-Leninist literature, could reasonably be understood so as to be consistent with being 'attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.' " Further, it contends that it is a violation of the First Amendment and the holding in *Dennis* v. *United States* (339 U. S. 162), to consider as evidence of "guilt" under the Act the belief in, or discussion of, Marxist-Leninist principles and literature (p. 57). After due study and deliberation of the foregoing decisions we conclude that they are in no sense *res judicata* of, or applicable to, the issues in this proceeding, nor do they in any way preclude the findings and disposition we have made herein. After consideration of these decisions we made detailed findings regarding Marxism-Leninism, which have been set forth above; they are based upon a preponderance of the evidence of record and we deem it unnecessary to discuss them further. Respondent's position with respect to the so-called "props" of the Recommended Decision is untenable. We have, however, considered these propositions and to the extent, and in the form, they appear in our findings in this report they are not subject to the infirmities alleged.

Respondent has repeatedly urged that the issue of whether it is a Communist-action organization must be resolved by evidence of its activities and status during the period between the effective date of the Act (September 23, 1950), and the date of the petition (November 23, 1950). Proceeding on this basis, it has continually attacked the reception and use of evidence pertaining to its activities and status prior to the Act. Initially, it raised the question concerning pre-Act evidence in its motion to dismiss the petition. In disposing of this contention we ruled in our Memorandum Opinion and Order of January 24, 1951, denying the motion, that evidence of conduct or activities which occurred prior to the passage of the Act may be of probative value to establish issues coming into existence after the effective date of the Act and, if so, could be received. Respondent now argues that the Panel, in its Recommended Decision, while giving "lip service" to the Board's ruling, completely "negatives" it by relying on a legal presumption of continuation of a condition. Respondent further argues that no such legal presumption exists when, as here, there has been a change of law (enactment of the Act) which attaches sanction to previously innocent conduct. It stresses that, if such a presumption existed, it was nevertheless "illegitimate" for the Panel to rely thereon in the face of the uncontradicted testimony of its witnesses. It further argues in this connection that the use of pre-Act evidence by the Panel amounted to an unconstitutional "*ex post facto*" application of the Act and was contrary to its provisions.

As is apparent, evidence relating to periods throughout Respondent's entire history has been received and properly so under our aforementioned ruling on this point. In order to resolve the issues presented here, it is advisable, if not necessary, to consider Respondent's entire existence.

In reaching our conclusion herein we have considered and weighed commensurately, therefore, such pre-Act evidence as reasonably tends to establish or illuminate the present nature, activities, character, and status of Respondent in connection with the issues presented for decision. We believe that in so doing there has been no violation of the Act itself or any *ex post facto* or other unconstitutional application thereof. As the Supreme Court of the United States has stated "present events have roots in the past." This is particularly true in this proceeding where consideration thereof brought to light facts, and raised presumptions and inferences tending to show Respondent's true current purpose, as well as the nature of its present conduct. We have been able to trace Respondent's operations over more than thirty years into the present and have found that at no time during this period has Respondent changed its fundamental objectives, or its nature and purpose. There are no protestations of repentance and reform; and, though Respondent continually points to its "disaffiliation" from the Communist International, for example, as a severance of its relationship with international Communism, a study of its pre-Act existence properly enabled us to adjudge that this was, at most, only a superficial act designed in the interest of domestic political expediency to circumvent adverse legislation (Voorhis Act).

It would have been unwarranted by law to compel Petitioner to restrict its proof to fragmentary evidence confined to a relatively minute portion of Respondent's existence, i. e., the two-month period between the passage of the Act and the filing of the petition. Our determination on this question is supported by the authorities. *United States* v. *Schneiderman et al.* (106 Fed. Supp. 892, 898–900); *United States* v. *Dennis et al.* (183 F. 2d 201, 231–32); *F. T. C.* v. *Cement Institute et al.* (333 U. S. 683, 704–706); *N. L. R. B.* v. *Pacific Greyhound Lines* (91 F. 2d. 458, 459).

The law assumes in the absence of proof to the contrary, which Respondent did not establish to our satisfaction, that a condition or set of facts shown not too remotely in the past (all circumstances considered) to have existed, still continues. In the circumstances here presented we do not consider that the passage of the Act, in and of itself, affects this presumption respecting Respondent. In addition thereto, the record contains ample post-Act evidence which, when illuminated, supports our finding.

It should be noted in the latter connection that Respondent further contends that there is insufficient post-Act evidence in the record to support the Panel's finding against it. As this contention is really part and parcel of the foregoing, we shall not consider it further.

Suffice to say, our finding herein, that Respondent is a Communist-action organization, is clearly supported by a preponderance of the probative evidence of record.

Respondent also takes the position that Petitioner is required to prove the existence of a world Communist movement having the characteristics described in Section 2 of the Act, and that it has failed to do so. It asserts the finding made by the Panel concerning the objective of the world Communist movement is irrelevant and unsupported by the evidence. In view of the fact that we have heretofore found on this record that a world Communist movement exists, substantially as described in Section 2 of the Act, it is unnecessary to discuss whether such a finding is required. The evidence stated in our findings on the world Communist movement[96] as well as the other findings in this report plainly establish the existence of an international Communist movement organized and directed by the Soviet Union, which conforms substantially to that described by the Congress in Section 2 of the Act. Respondent does not contend that there is more than one world Communist movement in existence and it is incorrect to state that the movement found herein is not sufficiently identified with that described in Section 2.

Throughout this proceeding Respondent has attacked the constitutionality of the Act and has contended that it was being administered in an unconstitutional manner. As we have previously ruled, the constitutionality of the Act is not properly an issue before us; and we presume that the Act is constitutional. We shall, therefore, address ourselves to the latter group of contentions. In this connection Respondent, during the hearing, in its briefs, exceptions, and supporting memorandum has persistently charged violations of the Bill of Rights of the Constitution. It contends that it violates the First Amendment to use as evidence, to base findings on, or to draw conclusions from its conduct and various statements relating to what it teaches in its schools, materials used in connection therewith such as books, study outlines and reading lists, statements by it or its leaders as contained in various publications including the *Daily Worker*, *Political Affairs*, and *For a Lasting Peace, for a People's Democracy* and the Marxist-Leninist Classics, and other important documents. On this basis it takes exception to statements in the Recommended Decision which, among others, are quotations from its various publications or Marxist-Leninist Classics, and to findings concerning the source, nature, and content of Marxism-Leninism, the world Communist movement, its leader and its objective, as well as the finding that it is a Communist-action organization.

Respondent further contends that the various findings of the Recommended Decision together with the recommendation that the Board enter an order requiring it to register as a Communist-action organization violate the Fifth Amendment. As best we can ascertain, this contention, that due process of law has not been accorded it, has a dual aspect. The first is a corollary to Respondent's assertion that much of the evidence in this proceeding violates the First Amendment, and the other, that irrespective of this it is none the less violative of the Fifth Amendment to find against Respondent on this record. Moreover, Respondent argues that the testimony of Petitioner's witnesses who were "planted in the CPUS as FBI informers, should have geen [sic] excluded under the First, Fourth, and Fifth Amendments."

Although it is extremely difficult in many instances to determine from Respondent's general allegations exactly the specific bases of its contentions, we have reviewed these contentions with great care and have examined their many aspects as they apply to our report herein. We find that no violation of Respondent's constitutional rights has been committed in this proceeding. To adopt Respondent's theory of what comprises constitutionally protected conduct and expression would result in closing to Petitioner legal avenues of proof.

In conjunction with its contentions respecting violations of the Fifth Amendment we have also examined Respondent's general assertion, often repeated, that a fair and impartial hearing has not been accorded it. From our analysis of the record, we find that Respondent has been accorded a fair and impartial hearing, and a full measure of due process of law.

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[96] Pp. 4 to 9, *supra*.

CONCLUSION

The evidence in this proceeding discloses the history and activities of the Communist Party of the United States (Respondent herein) over the period of its entire existence. From its inception in 1919, it has been a subsidiary and puppet of the Soviet Union.

Since the late 1930's, when it was faced with adverse legislation, Respondent has become increasingly diligent and resourceful in its efforts to appear as a domestic political party while continuing its subservience to the Soviet Union. Many of its practices were contrived to conceal its revolutionary objectives. Thus, it continues as an avowed Marxist-Leninist organization but, except to initiates, disclaims so much of Marxism-Leninism as would endanger its continued legal existence to espouse. As in the present proceeding, this frequently entails disavowing the core of Marxism-Leninism.

Consequently, Respondent is met with the dilemma of appearing to reject but yet maintain its reason for being. As our findings in this report reveal, this dual role is so fundamentally incongruous as to be incapable of fulfillment under scrutiny. It is so innate in Respondent's nature that it seek and accept Soviet Union direction and control that, in actuality, it does not function as the purely domestic political party whose role it would, de jure, assume. Rather, nurtured by the Soviet Union, it labors unstintingly to advance the world Communist movement.

With consummate patience, the Party strives for the establishment of a dictatorship of the proletariat in the United States; a goal which would rob the American people of the freedoms they have forged. While using the cloak of the United States Constitution, it struggles unremittingly to synthesize from the complexities of our time a condition in this country which would enable it to shackle our institutions and preside over a Soviet America, under the hegemony of the Soviet Union.

Upon the overwhelming weight of the evidence in this proceeding, we find that Respondent is substantially directed, dominated, and controlled by the Soviet Union, which controls the world Communist movement referred to in Section 2 of the Act; and that Respondent operates primarily to advance the objectives of such world Communist movement.

Accordingly, we find that the Communist Party of the United States is a Communist-action organization and required to register as such with the Attorney General of the United States under Section 7 of the Act.

An appropriate order will be entered.

By the Board:

(Signed) PETER CAMPBELL BROWN,
Chairman.
(Signed) KATHRYN MCHALE,
Member.
(Signed) WATSON B. MILLER,
Member.

Dated: April 20, 1953, at Washington, D. C.

CODDAIRE, *Member* (concurring):

On the basis of the testimony, the documentary material, and the Recommended Decision, all of which I have carefully read and studied, I am fully in accord with and concur in the findings and in the determination that the Respondent herein, the Communist Party of the United States of America, is a Communist-action organization under subsection (3) of Section 3 of the Act and required to register as such under Section 7. Since the Respondent has attempted by its briefs and arguments to eviscerate the Act and this proceeding, and since issues of far-reaching importance have been raised, I deem it desirable to set forth my understanding as to the nature and scope of the Board's Order issued herein. Proper understanding of the nature and scope of the Board's Report and Order does much to eliminate Respondent's contentions against the Act and the application of the Act to the Respondent.

The Subversive Activities Control Act of 1950 marks the beginning of a new stage in the development of public policy against un-American and subversive activities. The Board has been launched as a quasi-judicial agency for the carrying-out of the fact-finding and resultant adjudicatory aspects of a statutory scheme for, *inter alia*, identification of foreign dominated and foreign controlled organizations which operate in the United States primarily to carry out the evils found by Congress to be present in the world Communist movement.

Of particular importance are the facts that, in my opinion at least, registration proceedings before the Board are not criminal proceedings and reasonable registration in the public interest is not punishment. The result of the Board's order is not to outlaw the Communist Party nor is it punitive for past conduct. This proceeding is concerned solely with what amounts to the determination of a status. The order has, in effect, a forward-looking function aimed at registration or identification, as do many regulatory measures.

Respondent's main legal objections involve what it calls an improper use of pre-Act evidence, and a "built-in verdict" whereby under the Act the Board has no discretion other than to find as it has. These contentions, particularly when viewed against the nature and scope of the Board's Order as set forth above, are devoid of merit. The Board's Report treats with the question of pre-Act evidence and further elaboration is not necessary other than to emphasize that it is clearly proper, in my opinion, to base the determination of a status, or of characteristics, upon past and current facts whose weight we have strictly weighed.

Regarding the many arguments advanced by the Respondent in connection with its "built-in verdict" contention, the short answer is that the facts which have been ascertained in our Report, as established upon the formal record made in this proceeding, clearly and unequivocally show the Respondent to be a Communist-action organization as defined in the Act. Although there is no need for the Board to express an opinion on the constitutional questions raised by the Respondent, and I do not presume to do so, I can see nothing illegal *per se* in that the proofs in this proceeding establish the Respondent to be characteristically just the type of organization which the registration provisions of the Act cover.

(Signed) DAVID J. CODDAIRE,
Member.

Dated: April 20th, 1953, at Washington, D. C.

APPENDIX A

THE WITNESSES

Twenty-two witnesses appeared for Petitioner, nineteen of whom were former members of Respondent. Three witnesses appeared for Respondent, all of whom are members of the CPUSA. The periods of membership appear in parentheses after the names of witnesses. An asterisk appears after the names of witnesses who joined or rejoined Respondent as a result of conference with the Federal Bureau of Investigation.

PETITIONER'S WITNESSES

A. PETITIONER'S WITNESSES—FORMERLY MEMBERS OF THE RESPONDENT

BERENIECE BALDWIN* (1943–1952): Membership director of Party Club in 1943; delegate to Michigan State Communist Party Convention in 1944; handled registration and membership records for Michigan District in 1947–1948; secretary of Party Section 1947–1950.

JOHN VICTOR BLANC* (1934–1936; 1944–1949): Attended CPUSA schools in 1947 and 1948; dues secretary of Party Club in 1944; press and literature director for Party Club; organized and was chairman of Party Club 1947–1949; attended Ohio State Communist Party Convention in 1945, 1947 and 1948.

LOUIS FRANCIS BUDENZ (1935–1945): Member, New York State Trade Union Committee, 1936–1937; labor editor of the *Daily Worker*, 1936–1937; member of Respondent's National Committee, 1936–1940; member of Illinois State Committee, 1937–1940; editor, *Midwest Daily Record*, 1937–1940; member of New York State Committee, 1940; president of Freedom of Press Company, Inc., 1940–1941; managing editor, *Daily Worker*, 1941–1945; alternate member, National Committee of Communist Political Association, 1944–1945.

PAUL CROUCH (1927–1942): Member of Young Workers League; chairman, CPUSA National Anti-Military Commission, 1928; member, National Young Communist League Secretariat, 1929; editor of the *Young Worker*, 1929; delegate, CPUSA National Convention, 1929, 1934, 1936, 1938 and 1940; National Secretary, Anti-Imperialist League; instructor in various CPUSA schools; CPUSA organizer in various Districts and officer in various District organizations.

WILLIAM GARFIELD CUMMINGS* (1943–1949): Press director, secretary, vice chairman, and chairman of Party Clubs; member, Ohio State Communist Party Committee; delegate to Ohio State Communist Party Convention, 1945 and 1948; delegate to CPUSA National Convention, 1948.

TIMOTHY EVANS, JR.* (1948–1952): Chairman of Party Club; delegate to CPUSA regional convention in 1951; group leader and section educational director in 1951; assigned as "underground" member of CPUSA in summer 1951.

BENJAMIN GITLOW (1919–1929): Helped organize Respondent in 1919; member of Labor Committee and National Committee of Communist Labor Party; member of Political Committee (governing body) for most of time as member of Respondent; member of Secretariat, 1927–1929; General Secretary, 1928–1929; member, Executive Committee of Red International Trade Union, 1928–1929; present at conferences in Moscow, 1927, 1928, 1929; member, Executive Committee of the Communist International, 1928–1929.

BALMES HIDALGO* (1946–1949): Membership director of Party Club; financial secretary of Party Club; press director of Party Section; attended Party leadership school, 1947.

NATHANIEL HONIG (1927–1939): Discussion leader in Party Unit; employed by *Daily Worker;* editor, *Timber Worker*, 1937–1938, also editor of *Labor Unity*, 1930–1934; attended CPUSA National Convention, 1929–1934; teacher at Lenin School in Moscow, 1934–1935; representative of Trade Union Unity League to Red International of Labor Unions (Profintern) in Moscow; managing editor of *Western Worker*, 1936–1937.

JOHN EDWARD JANOWITZ* (1943–1952): Member of various Party Clubs and Shop Units; alternate delegate to CPUSA Ohio State Convention, 1950.

MANNING JOHNSON (1930–1940): CPUSA district organizer and district Agitation and Propaganda director; National Negro organizer for Trade Union Unity League; member, CPUSA National Committee Trade Union Commission; member, Negro Commission of National Committee; member, CPUSA National Committee, 1936–1938; student at CPUSA schools.

Joseph Kornfeder (1919–1934): Helped organize Respondent in 1919; Branch organizer, 1919–1920; member, Central Committee, 1920–1924 and 1926–1928; labor union activities director, 1921–1922, eastern area director, 1920–1927; member, district committee and district bureau of Ohio, 1932–1934; general secretary, Trade Union Unity Council of New York; member, district bureaus and district committees; attended Lenin School in Moscow 1927–1930; Communist International representative in South America, 1930 and 1931.

John Lautner (1929–1950): District Secretary of CPUSA National Hungarian Bureau in various States during 1930–1941; organizer in CPUSA sections and districts 1933 and 1936; director, CPUSA National Training School for Hungarian members, 1932; head of New York State Communist Party Review Commission, Fall 1947; member of CPUSA National Review Commission and in charge of security for New York State Party, 1948–1950.

Mary Stalcup Markward* (1943–1949): Chairman, Party Club in 1944; membership director and treasurer for City of Washington, 1944; City Committee for Washington, D. C., 1945; member, District Committee, 1945 and 1948; visitor at Party National Convention in 1944.

Harvey M. Matusow (1947–1951): Member of various Party youth clubs; employee of Jefferson School and manager of Camp Unity Book Store in 1948; Press Literature and Educational director of youth club, 1948–1949; employed at New York County Party headquarters in 1949; acting National Literature Director of the Labor Youth League and member, N. Y. State Executive Committee of the League during 1949 and early 1950; State literature director, New York Labor Youth League.

Frank Straus Meyer (1934–1945): Transferred from British Communist Party; worked in Paris for British Communist Party in 1934; associated with British Young Communist League's Secretariat of the Central Committee; active in youth work in United States and Canada while a member of CPUSA; Area secretary, youth section, American League Against War and Fascism; Educational Director of Party Section, 1935–1937; Director, Chicago Workers' School and District Educational Director, 1938–1941; District Membership Director and Assistant Organizational Secretary, 1941–1942; instructor at Jefferson School, 1944.

William Odell Nowell (1929–1936): Student, instructor, and director in Communist Party School in Detroit, Michigan; member and secretary of District Negro Commission, 1929; member of Michigan District Bureau and District Secretariat, 1930; member and later President of the Detroit Chapter of the Anti-Imperialist League, 1929; member, International Labor Defense, 1929; organizer, American Negro Labor Congress, 1929; Communist Party organizer in Auto Workers Union and Union representative to founding convention of Trade Union Unity League, 1929; manager, Workers' Book Store, Detroit, 1930; circulation manager of *Daily Worker* and Education Director in Michigan District; attended Lenin School, Moscow, 1931; Communist Party delegate to a celebration of Russian Revolution in Moscow, 1929; representative of Trade Union Unity League to Profintern.

Herbert A. Philbrick* (1944–1949): Joined Massachusetts Youth Council in 1940 and was later chairman; joined Young Communist League in 1942 and American Youth for Democracy in 1943; member, Communist Party State Education Commission of Massachusetts; chairman, Massacusetts Communist Party leaflet production; alternate delegate, Massachusetts Communist Political Association Convention, 1945; State treasurer, American Youth for Democracy, 1943–1945; Cell Organizer, 1944; attended Communist Party Training School, 1945; District Educational Director, 1947; Professional Group Literature Director, 1947–1949.

Daniel Scarletto* (1947–1952): Member of various Communist Party Clubs in 1947–1948; Press Director, El Sereno Club, 1948; Club organizational secretary, Mexican Concentration Club, 1948–1951: transferred to "underground" January 1951.

B. PETITIONER'S WITNESSES—NEVER MEMBERS OF OR CONNECTED WITH RESPONDENT

John W. Carrington: Clerk of the Un-American Activities Committee of the House of Representatives. This witness was subpoenaed by the Attorney General in this proceeding to produce and authenticate, in his official capacity, certain documents from the files of the House Un-American Activities Committee.

APPENDIX A

THE WITNESSES

Twenty-two witnesses appeared for Petitioner, nineteen of whom were former members of Respondent. Three witnesses appeared for Respondent, all of whom are members of the CPUSA. The periods of membership appear in parentheses after the names of witnesses. An asterisk appears after the names of witnesses who joined or rejoined Respondent as a result of conference with the Federal Bureau of Investigation.

PETITIONER'S WITNESSES

A. PETITIONER'S WITNESSES—FORMERLY MEMBERS OF THE RESPONDENT

BERENIECE BALDWIN* (1943–1952): Membership director of Party Club in 1943; delegate to Michigan State Communist Party Convention in 1944; handled registration and membership records for Michigan District in 1947–1948; secretary of Party Section 1947–1950.

JOHN VICTOR BLANC* (1934–1936; 1944–1949): Attended CPUSA schools in 1947 and 1948; dues secretary of Party Club in 1944; press and literature director for Party Club; organized and was chairman of Party Club 1947–1949; attended Ohio State Communist Party Convention in 1945, 1947 and 1948.

LOUIS FRANCIS BUDENZ (1935–1945): Member, New York State Trade Union Committee, 1936–1937; labor editor of the *Daily Worker*, 1936–1937; member of Respondent's National Committee, 1936–1940; member of Illinois State Committee, 1937–1940; editor, *Midwest Daily Record*, 1937–1940; member of New York State Committee, 1940; president of Freedom of Press Company, Inc., 1940–1941; managing editor, *Daily Worker*, 1941–1945; alternate member, National Committee of Communist Political Association, 1944–1945.

PAUL CROUCH (1927–1942): Member of Young Workers League; chairman, CPUSA National Anti-Military Commission, 1928; member, National Young Communist League Secretariat, 1929; editor of the *Young Worker*, 1929; delegate, CPUSA National Convention, 1929, 1934, 1936, 1938 and 1940; National Secretary, Anti-Imperialist League; instructor in various CPUSA schools: CPUSA organizer in various Districts and officer in various District organizations.

WILLIAM GARFIELD CUMMINGS* (1943–1949): Press director, secretary, vice chairman, and chairman of Party Clubs; member, Ohio State Communist Party Committee; delegate to Ohio State Communist Party Convention, 1945 and 1948; delegate to CPUSA National Convention, 1948.

TIMOTHY EVANS, JR.* (1948–1952): Chairman of Party Club; delegate to CPUSA regional convention in 1951; group leader and section educational director in 1951; assigned as "underground" member of CPUSA in summer 1951.

BENJAMIN GITLOW (1919–1929): Helped organize Respondent in 1919; member of Labor Committee and National Committee of Communist Labor Party; member of Political Committee (governing body) for most of time as member of Respondent; member of Secretariat, 1927–1929; General Secretary, 1928–1929; member, Executive Committee of Red International Trade Union, 1928–1929; present at conferences in Moscow, 1927, 1928, 1929; member, Executive Committee of the Communist International, 1928–1929.

BALMES HIDALGO* (1946–1949): Membership director of Party Club; financial secretary of Party Club; press director of Party Section; attended Party leadership school, 1947.

NATHANIEL HONIG (1927–1939): Discussion leader in Party Unit; employed by *Daily Worker;* editor, *Timber Worker*, 1937–1938, also editor of *Labor Unity*, 1930–1934; attended CPUSA National Convention, 1929–1934; teacher at Lenin School in Moscow, 1934–1935; representative of Trade Union Unity League to Red International of Labor Unions (Profintern) in Moscow; managing editor of *Western Worker*, 1936–1937.

JOHN EDWARD JANOWITZ* (1943–1952): Member of various Party Clubs and Shop Units; alternate delegate to CPUSA Ohio State Convention, 1950.

MANNING JOHNSON (1930–1940): CPUSA district organizer and district Agitation and Propaganda director; National Negro organizer for Trade Union Unity League; member, CPUSA National Committee Trade Union Commission; member, Negro Commission of National Committee; member, CPUSA National Committee, 1936–1938; student at CPUSA schools.

Joseph Kornfeder (1919–1934): Helped organize Respondent in 1919; Branch organizer, 1919–1920; member, Central Committee, 1920–1924 and 1926–1928; labor union activities director, 1921–1922, eastern area director, 1920–1927; member, district committee and district bureau of Ohio, 1932–1934; general secretary, Trade Union Unity Council of New York; member, district bureaus and district committees; attended Lenin School in Moscow 1927–1930; Communist International representative in South America, 1930 and 1931.

John Lautner (1929–1950): District Secretary of CPUSA National Hungarian Bureau in various States during 1930–1941; organizer in CPUSA sections and districts 1933 and 1936; director, CPUSA National Training School for Hungarian members, 1932; head of New York State Communist Party Review Commission, Fall 1947; member of CPUSA National Review Commission and in charge of security for New York State Party, 1948–1950.

Mary Stalcup Markward* (1943–1949): Chairman, Party Club in 1944; membership director and treasurer for City of Washington, 1944; City Committee for Washington, D. C., 1945; member, District Committee, 1945 and 1948; visitor at Party National Convention in 1944.

Harvey M. Matusow (1947–1951): Member of various Party youth clubs; employee of Jefferson School and manager of Camp Unity Book Store in 1948; Press Literature and Educational director of youth club, 1948–1949; employed at New York County Party headquarters in 1949; acting National Literature Director of the Labor Youth League and member, N. Y. State Executive Committee of the League during 1949 and early 1950; State literature director, New York Labor Youth League.

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William Odell Nowell (1929–1936): Student, instructor, and director in Communist Party School in Detroit, Michigan; member and secretary of District Negro Commission, 1929; member of Michigan District Bureau and District Secretariat, 1930; member and later President of the Detroit Chapter of the Anti-Imperialist League, 1929; member, International Labor Defense, 1929; organizer, American Negro Labor Congress, 1929; Communist Party organizer in Auto Workers Union and Union representative to founding convention of Trade Union Unity League, 1929; manager, Workers' Book Store, Detroit, 1930; circulation manager of *Daily Worker* and Education Director in Michigan District; attended Lenin School, Moscow, 1931; Communist Party delegate to a celebration of Russian Revolution in Moscow, 1929; representative of Trade Union Unity League to Profintern.

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Daniel Scarletto* (1947–1952): Member of various Communist Party Clubs in 1947–1948; Press Director, El Sereno Club, 1948; Club organizational secretary, Mexican Concentration Club, 1948–1951: transferred to "underground" January 1951.

B. PETITIONER'S WITNESSES—NEVER MEMBERS OF OR CONNECTED WITH RESPONDENT

John W. Carrington: Clerk of the Un-American Activities Committee of the House of Representatives. This witness was subpoenaed by the Attorney General in this proceeding to produce and authenticate, in his official capacity, certain documents from the files of the House Un-American Activities Committee.

ALEXANDER LOGOFET: Born and educated in Russia. Formerly employed by the Czarist government. Presently Russian interpreter for International Conferences for the Department of State. This witness was subpoenaed by the Attorney General in the instant proceeding to translate a document in the Russian language. (Petitioner's Exhibit No. 3.)

PHILIP E. MOSELY: Director of the Russian Institute; Professor of International Relations, Columbia University. Dr. Mosely testified as an expert for the Attorney General in regard to the allegations of the Petition under Section 13 (e) (2) of the Act.

RESPONDENT'S WITNESSES

HERBERT APTHEKER (1939 to present): Dr. Aptheker testified as an expert on Marxism-Leninism. Member of a Brooklyn Communist Party Club, 1940–1941; teacher, Jefferson School of Social Science, 1946 to present; editor, *Masses and Main Stream*, 1948 to present; managing editor, *Political Affairs*—about 1950 to present; trustee, Jefferson School, New York City, 1950 to present.

ELIZABETH GURLEY FLYNN (1937 to present): Member, National Committee, 1938 to present; chairman of Women's Commission of Communist Party, 1945 to present; chairman of Defense Commission, CPUSA, 1948 to present; columnist for *Daily Worker*, 1937 to present: delegate to Congress of Women for Peace, Paris, 1945; member, Political Bureau, later called National Board, 1941–1946, 1948; representative of *Daily Worker* at 80th birthday party for Marcel Cachin in Paris, 1949; representative of CPUSA to French Communist Party Congress, 1950.

JOHN GATES (1933 to present): Member of Young Communist League, 1931; organizer for the League, 1932–1937; organizer of various clubs in Youngstown and member of the Section Committee, 1933–1937; member, International Brigade in Spanish Civil War in 1938 and rose to rank of Brigade Political Commissar (Lt. Col.); National Executive Secretary, Friends of Abraham Lincoln Brigade, 1939; National Education Director of Young Communist League, 1939–1940; "Head", Young Communist League for New York State, 1940; United States Army, December 17, 1941-January 17, 1946; elected member, National Council Communist Political Association *in absentia*, 1944; elected member of National Committee of Communist Party *in absentia*, 1945; National Vets Director Communist Party, 1946–1947; member National Committee, Communist Party, 1946 to present; chairman, National Legislative Commission, 1947–1951; member, National Board, Communist Party, 1947 until it was discontinued; editor, *Daily Worker*, 1947 to present; chairman, National Review Commission, 1951.

APPENDIX B

A list of publications of major importance in this proceeding which were received in evidence in whole or in part, follows:

Pet. Ex. 8: *Theses and Statutes of The Third (Communist) International*, published officially by the Communist International in Moscow in 1920. Reprinted by the United Communist Party of America (a former designation of Respondent).

Pet. Ex. 31: *The Communist Manifesto*, by Karl Marx and Friedrich Engels. Copyrighted in the United States in 1948, the 100th Anniversary edition published by International Publishers Company, Inc. [97]

Pet. Ex. 121: *Foundations of Leninism*, by J. Stalin, copyrighted in the United States in 1939, published by International Publishers Company, Inc.

Pet. Ex. 125: *Programme Of The Communist International*, copyrighted in the United States in 1929, published by the Workers Library Publishers, Inc.

Pet. Ex. 137: *Resolutions, Seventh Congress Of The Communist Interantional*, published in 1935 by Workers Library Publishers.

Pet. Ex. 138: *Problems of Leninism*, by J. Stalin, copyrighted in the United States in 1934, published by International Publishers Company, Inc.

Pet. Ex. 139: *State and Revolution*, by Lenin, copyrighted in the United States in 1932, published by International Publishers Company, Inc.

Pet. Ex. 140: *Imperialism, The Highest Stage of Capitalism*, by Lenin, copyrighted in the United States in 1939, published by International Publishers Company, Inc.

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[97] International Publishers Company, Inc., New York City, is headed by Alexander Trachtenburg, a leading member of Respondent.

Pet. Ex. 141: *Working Class Unity-Bulwark Against Fascism*, by Georgi Dimitroff, published by Workers Library Publishers in 1935.

Pet. Ex. 145: *The Communist Party, A Manual On Organization*, by J. Peters, published by Workers Library Publishers, July 1935.

Pet. Ex. 149: *The United Front, The Struggle Against Fascism And War*, by Georgi Dimitroff, copyrighted in the United States in 1938, published by International Publishers Company, Inc.

Pet. Ex. 330: *History Of The Communist Party Of The Soviet Union (Bolsheviks)*, edited and authorized by the Central Committee of the Communist Party of the Soviet Union, copyrighted in the United States in 1939, published by International Publishers Company, Inc.

Pet. Ex. 335: *Mastering Bolshevism*, by J. Stalin, published in 1946 by New Century Publishers.

Pet. Ex. 343: *Strategy and Tactics Of The Proletarian Revolution*, copyrighted in the United States in 1936, published by International Publishers Company, Inc.

Pet. Ex. 417: *What Is To Be Done?* by Lenin, copyrighted in the United States in 1929, published by International Publishers Company, Inc.

Pet. Ex. 422: *The Theory Of The Proletarian Revolution*, copyrighted in the United States in 1936, published by International Publishers Company, Inc.

Pet. Ex. 423: *The Dictatorship Of The Proletariat*, copyrighted in the United States in 1936, published by International Publishers Company, Inc.

BEFORE THE SUBVERSIVE ACTIVITIES CONTROL BOARD

Docket No. 51-101

HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PETITIONER, v. THE COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, RESPONDENT

ORDER OF THE BOARD

The Board having this day issued its Report in which it finds and determines that the Communist Party of the United States of America, respondent herein, is a Communist-action organization under the provisions of the Subversive Activities Control Act of 1950;

IT IS ORDERED that the said respondent, the Communist Party of the United States of America, shall register as a Communist-action organization under and pursuant to section 7 of the Subversive Activities Control Act of 1950, and

IT IS FURTHER ORDERED that if the Communist Party of the United States of America fails to comply with the registration requirements of said Act, pursuant to the above Order, then each and every section, branch, fraction, or cell of said respondent shall register in accordance with the requirements of said Act.

By the Board:

(Signed) PETER CAMPBELL BROWN,
Chairman.
(Signed) KATHRYN MCHALE,
Member.
(Signed) DAVID J. CODDAIRE,
Member.
(Signed) WATSON B. MILLER,
Member.

Washington 25, D. C., April 20, 1953.

UNITED STATES COURT OF APPEALS FOR THE
DISTRICT OF COLUMBIA

No. 11,850
(Filed June 17, 1953)

COMMUNIST PARTY OF THE UNITED STATES OF AMERICA,
Petitioner,

v.

SUBVERSIVE ACTIVITIES CONTROL BOARD, *Respondent.*

Petition for Review

Communist Party of the United States of America, by its attorneys, petitions the Court to review and set aside the order of the Subversive Activities Control Board issued April 20, 1953, in the proceeding before said Board entitled Herbert Brownell, Jr., Attorney General of the United States, Petitioner, v. The Communist Party of the United States of America, Respondent, No. 51-101.

Nature of the Proceedings

The order involved herein was issued under section 13 (g)(1) of the Internal Security Act of 1950 (hereinafter called the Act), after proceedings before the Subversive Activities Control Board (hereinafter called the Board) initiated under section 13(a) of the Act by a petition of the Attorney General that the Petitioner herein be required to register under section 7 of the Act as a "Communist-action organization." On April 20, 1953, the Board issued its order that the Petitioner herein "shall register as a Communist-action organization under and pursuant to section 7" of the Act. The order further provided that if the Petitioner herein "fails to comply with the registration requirements of said Act, pursuant to the . . . Order, then each and every section, branch, fraction, or cell" of the Petitioner herein shall register in accordance with the requirements of said Act."

Jurisdiction and Venue

Jurisdiction and venue exists in this Court by virtue of section 14(a) of the Act, which provides:

> "The party aggrieved by any order entered by the Board under subsection (g), (h), (i), or (j) of section 13 may obtain a review of such order by filing in the United States Court of Appeals for the District of Columbia, within sixty days from the date of service upon it of such order, a written petition praying that the order of the Board be set aside."

Grounds for Relief

The Petitioner seeks to have the order of the Board set aside on the following grounds:

1. Sections 2 through 13 and 15 of the Act, and those provisions of sections 22, 23, and 25 of the Act which relate to members of organizations registered or required to register under section 7 of the Act (as carried forward in the Immigration and Nationality Act, 66 Stat. 163), are, on their face and as applied to Petitioner, in violation of the Constitution, including the First, Fourth, Fifth, Sixth, Ninth, and Tenth Amendments, Article I, Section 1, and Article I, Section 9, Clause 3.

2. The findings and order of the Board violate the Act, including Section 13(e) thereof.

3. The order of the Board is based on findings as to activities of the Petitioner herein prior to the date of the Act, in violation of the Act.

4. The findings and order of the Board are not supported by the preponderance of the evidence, as required by the Act.

5. The findings and order of the Board are contrary to the evidence.

6. The findings and order of the Board are based on incompetent, irrelevant, and immaterial evidence.

7. The findings and order of the Board are based on arbitrary, illegal and irrational inferences, conclusions, presumptions, and standards.

8. The findings and order of the Board fail to take into account the evidence favorable to the Petitioner herein.

9. The Board failed to make findings favorable to the Petitioner herein where such findings were required by its own statement of the evidence.

10. Two members of the Board, who presided at the hearing and participated in the Report and Order of the Board, were required to have disqualified themselves, or to have been disqualified, because of the filing of sufficient affidavits of bias and prejudice.

11. The proceeding against Respondent was in part conducted by persons presuming to sit as members of the Board when in fact and in law they were not members of the Board and had usurped office.

12. The members of the Board, during the proceeding, were subjected to and influenced adversely to the Petitioner herein by extra-legal pressures exerted upon them for the purpose of securing an order against the Petitioner herein.

13. The proceeding before the Board was conducted in an unfair and biased manner.

14. The Board committed prejudicial errors in the admission and exclusion of evidence, including the refusal to admit competent, relevant and material evidence offered

by the Petitioner herein; the admission of incompetent, irrelevant and immaterial evidence offered by the Attorney General; the curtailment of Petitioner's cross-examination of witnesses; and the refusal to compel the production of documentary evidence in the possession of the Attorney General demanded by Petitioner and to which it was entitled.

15. The Board exceeded its authority by ordering, conditionally, the registration of "each and every section, branch, fraction, or cell" of the Petitioner.

Relief Prayed

Wherefore, the Petitioner prays that the Court set aside the aforesaid order of the Board.

Respectfully submitted,

Vito Marcantonio
VITO MARCANTONIO
11 Park Place
New York, New York

John J. Abt
JOHN J. ABT
11 Park Place
New York, New York

Joseph Forer
JOSEPH FORER
711 14th Street, N. W.
Washington, D. C.
Attorneys for Petitioner

1 (Filed November 11, 1950)

IN THE SUBVERSIVE ACTIVITIES CONTROL BOARD

No. 51-101

J. HOWARD MCGRATH, Attorney General of the United States, *Petitioner,*

v.

THE COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, *Respondent.*

On Petition for an order requiring the Communist Party of the United States of America to register with the Attorney General as required by Section 7 (a), (c) and (d) of the Internal Security Act of 1950.

Petition

The Attorney General respectfully represents to the Subversive Activities Control Board that the Communist Party of the United States of America was required under Section 7 (a), (c) and (d) of the Internal Security Act of 1950 to register and file a registration statement with the Attorney General on or before October 23, 1950, as a Communist-action organization and it failed to do so and continues to fail to do so. Pursuant to Section 13 (a) of the Act, therefore, the Attorney General petitions this Board for an order, after appropriate proceedings, directing the Communist Party of the United States of America to register with the Attorney General as a Communist-action organization in the manner required by the Act, and directing further that if the organization fails to comply with the Board's order, each section, branch, fraction, or cell of the organization shall register as a Communist-action organization.

2 In support of this petition the Attorney General refers to the Congressional findings of fact as set forth in Section 2 of the Act. The Attorney General alleges the following facts, based on information and belief, relating to the character of the Communist Party of the United States of America as measured by the standards specified in the Act.

I

Commencing in or about 1919, and continuing to the date of the filing of this petition, except for the period of the Communist Political Association from May, 1944 to July, 1945, there has existed in the United States an organization known from time to time by various names, which is now known as the Communist Party of the United States of America (hereinafter referred to as the "Communist Party" or "organization"). This organization has been and is composed of large numbers of members and affiliates who function through state, county, city and other units, which are subject to the supervision and control of the National Office of the Communist Party.

II

During the aforesaid period, the Communist Party, which is not a diplomatic representation or mission of a foreign government accredited as such by the United States Department of State, has been and is substantially dominated and controlled by the government and Communist Party of the Soviet Union, and by the foreign organization controlling the world Communist movement, such foreign organization being known at various times as the Communist International (Comintern) and the Communist Information Bureau (Cominform). Throughout its existence the Communist Party has operated and continues to

operate primarily to advance the objectives of the world Communist movement. The organization always has been an active participant in the world Communist movement, which has its home base in the Soviet Union. Like the
3 other members of the world Communist movement,
which are affiliated with the Communist Party of the Soviet Union, the Communist Party always has based itself on the principles of Marxism-Leninism, as from time to time expounded and revised by Joseph Stalin, the leader of the world Communist movement, and by the Communist Party of the Soviet Union, the Communist International, the Communist Information Bureau and other spokesmen for the world Communist movement. The policies of the organization have been formulated and carried out and its activities have been performed pursuant to the "correct" Marxist-Leninist position as set forth in directives, interpretations, publications and other communications issued by Stalin, the Communist Party of the Soviet Union, the Communist International, the Communist Information Bureau and other spokesmen for the world Communist movement, all for the purpose of effectuating the policies of the government and Communist Party of the Soviet Union and the organization of the world Communist movement, variously known as the Communist International and the Communist Information Bureau.

The aforesaid domination and control of the policies and activities of the Communist Party are illustrated by the following facts:

(a) In 1921 the Communist Party, which had become a member of the Communist International, agreed to be bound by the 21 conditions for membership in the Communist International. Among the conditions which the organization accepted was the principle that all resolutions of the Communist International and its Executive Committee were binding on the Communist Party.

(b) The Communist International has maintained its rep-
resentatives in the United States for the purpose of di-
recting and supervising the activities of the Communist
Party and the conduct of the leaders of that organi-
4 zation. The representatives of the Communist In-
ternational have been empowered to serve on the or-
ganization's committees, to preside at meetings of the Com-
munist Party and to cast the deciding vote.

(c) The young Communists in the United States functioned through an organization known as the Young Communist League, the youth organization of the Communist Party. The Young Communist League was a section of the Young Communist International, the Communist International's organization for the Communist youth of the world. The young Communist International and the Communist Party directed and controlled the activities of the Young Communist League and the Young Communist International, in turn, was directed and controlled by the Communist International.

(d) In or about 1929, there developed a serious factional dispute within the Communist Party. The controversy was submitted to a committee of the Communist International at Moscow for resolution and was finally settled by Stalin's direction to the American Communist leaders who appeared before him that the minority faction had the approval of himself and the Communist International and would henceforth control the organization. As a result, the leaders of the majority faction were expelled from the organization.

(e) Since September 1928, the Communist Party has been guided to the "correct" Marxist-Leninist position by the "Programs of the Communist International," which was adopted at the Sixth Congress of the Communist International held on September 1, 1928, in Moscow, and which was published in the United States by "Workers Library Publishers", an organ of the Communist Party. The Communist Party officially adopted and subscribed to that program and continues to adhere to it. Similarly, in 1939, the Communist Party, together with the Communist parties of other countries, was supplied with the most recent Marxist-Leninist manual, the "History of the Communist Party of the Soviet Union (Bolsheviks)", which was prepared for use as a guide to action with the active participation of Stalin and was authorized by the Central Committee of the Communist Party of the Soviet Union. This manual and other similar publications of the organization have been published in the United States by International Publishers, an organ of the Communist Party. Other Marxist-Leninist publications which the organization has used and continues to use as guides to action include "Foundations of Leninism" by Stalin; "State and Revolution" and "Imperialism" by Lenin; "The Communist Manifesto" by Marx and Engels; "Problems of Leninism" by Stalin; "The Communist" and its successor, "Political Affairs"; the "Daily Worker" and the "Worker"; and such compilations of Marxist-Leninist writings as "Strategy and Tactics", "Theory of the Proletarian Revolution" and "Dictatorship of the Proletariat".

(f) In November, 1940, the Communist Party voted to disaffiliate from the Communist International for the avowed purpose of removing itself from the terms of the so-called Voorhis Act, but in fact the organization continued to uphold the principles of the Communist International, and the Communist International continued its direction and supervision over the organization through its resident representatives in the United States.

(g) In 1943, when the government of the Soviet Union was militarily allied with the government of the United States and other capitalist democracies in the conduct of World War II, the Communist International was formally dissolved. Shortly thereafter, in the spring of 1944, the

Communist Party similarly dissolved itself and the leaders
of the Communist Party created a Communist Political
Association, dedicated to working in cooperation with pro-
gressive forces in the United States and subordina-
6 ting the Marxist-Leninist program which the Com-
munist Party had followed.

(h) With the end of the hostilities in Europe in 1945, the Communist Party was instructed by leaders of the world Communist movement, including Jacques Duclos, a leader of the French Communist Party and a former member of the Executive Committee of the Communist International, and Dimitri Manuilsky, a leader of the Communist Party of the Soviet Union and former General Secretary of the Communist International, to reestablish itself in the United States for the purpose of again carrying forward the program and activities to which it had adhered from 1919 to 1944. In July 1945, the Communist Party was reconstituted in accordance with the directions which it had received. Upon its reconstitution, the organization immediately returned to its former program.

(i) In 1947, the Communist Information Bureau was established as the organization for the world Communist movement and as a successor to the Communist International. Because of the terms of the Voorhis Act and the Foreign Agents Registration Act, the Communist Party found it inexpedient to become a formal member of the Communist Information Bureau, but it has affiliated with that organization of the world Communist movement, and it has conformed its policies and activities to the policies and activities of the Communist Information Bureau.

III

Throughout its existence the Communist Party never knowingly has deviated from the views and policies of the government and Communist Party of the Soviet Union, the

Communist International, the Communist Information Bureau and other leaders of the world Communist movement. Whenever such views and policies have conflicted with the position taken by the Government of the United States, the Communist Party has opposed the position of the United States. The Communist Party has advocated the views and policies of the government and Communist
7 Party of the Soviet Union, the Communist International and the Communist Information Bureau, as the case may be, in the following instances, among others:

(a) The Communist Party has based itself upon the doctrines of Marxism-Leninism as construed, interpreted and extended by Stalin, the Communist Party of the Soviet Union, the Communist International, the Communist Information Bureau and other leaders of the world Communist movement.

(b) Except when the United States and the Soviet Union were potential or actual military allies, the Communist Party has consistently expressed the view that the United States is an imperialistic power bent on instigating wars for world domination, and that the Soviet Union and other Communist nations are the only true democracies which seek to preserve peace.

(c) The Communist Party advocated opposition to the League of Nations while the Soviet Union opposed such organization, and when the Soviet Union reversed its position the Communist Party supported the League of Nations.

(d) The Communist Party endorsed and justified the trial and execution of a large number of prominent Russian military and political leaders by the Soviet Union in the "purge" of 1937.

(e) The Communist Party supported and justified the position of the Soviet Union in the Russo-Finnish War in 1939.

(f) The Communist Party supported and justified the territorial expansion of the Soviet Union through the conquest of Polish territory in 1939, and the absorption of Latvia, Estonia and Lithuania in 1940.

8 (g) Commencing in or about 1935, the Communist Party softened its previous attacks against democratic capitalism to advocate a program of united front action to combat fascism and nazism in accordance with the changed policy of the Communist International.

(h) When on August 23, 1939, the Hitler-Stalin Non-Aggression Pact was consummated, the Communist Party overlooked its opposition to fascism and nazism and supported the Hitler-Stalin Pact.

(i) During the period from the signing of the Hitler-Stalin Pact to June 21, 1941, the Communist Party characterized the war between the Western European powers and Germany and Italy as an "unjust" imperialist war which Communists could not support and affirmatively sought to prevent American aid from being given to the Western European nations.

(j) Coincident with the German attack on the Soviet Union on June 22, 1941, the Communist Party abruptly reversed its position by characterizing the war as a "just" war against fascism requiring the support of all Communists and demanded that the United States give full aid and assistance to the nations opposing Nazi Germany and Italy.

(k) Once the Soviet Union was engaged in the war, the Communist Party abandoned its attacks on the Government and institutions of the United States and its traditional disruptive tactics in favor of a policy of cooperation with all forces directly or indirectly aiding the Soviet Union in its war effort. In accordance with this policy,
9 the Communist Party expressed its approval of the
dissolution of the Communist International in 1943, and the Communist Party itself was dissolved in May, 1944.

(l) With the termination of hostilities in Europe in 1945, the Communist Party, in accordance with instructions from the leaders of the world Communist movement, was reconstituted in July 1945, for the purpose of returning to the views, policies and activities which it had followed prior to May, 1944.

(m) In 1946, the Communist Party supported the demands of the Soviet Union upon Turkey for revision of the Montreux Convention so as to give the Soviet Union a voice in the control of the Dardanelles.

(n) In the period following the termination of hostilities in World War II, the Communist Party consistently supported the policies and tactics of the Soviet Union, the world Communist movement and the Communist parties in Bulgaria, Roumania, Hungary, Albania and Poland in their efforts to obtain control of the governments of those countries and, since the success of such efforts, the Communist Party has vigorously supported the conduct and policies of those Communist governments.

(o) The Communist Party supported and justified the Communist destruction of the democratic government of Czechoslovakia and has continued to support the Communist government which replaced the Czechoslovakian democracy.

(p) The Communist Party supported the coalition of the Chinese Communists with the Nationalist Government of China during World War II and thereafter supported the Chinese Communists in their violent revolution against the legal Government of China.

10 (q) The Communist Party supported the violent revolutionary efforts of the Communist guerrillas in Greece and similarly supports the violent revolutionary efforts of the Communists in Indo-China, Burma and the Philippines.

(r) The Communist Party supported the Communist efforts to prevent the successful establishment and maintenance of the government of Western Germany and supported the Soviet blockade of Berlin in 1948.

(s) Since the end of World War II, the Communist Party has opposed those facets of American foreign policy which it regards as inimical to the interests of the Soviet Union and the world Communist movement, such as the Truman Doctrine, the Marshall Plan and the resultant program of the Economic Cooperation Administration, the North Atlantic Pact, and the Military Assistance Program for the Atlantic Pact nations.

(t) The Communist Party has supported and justified the stifling of internal opposition to the various Cominform governments through repressive measures against religious and political leaders such as Cardinal Mindszenty and Nicola Petkov, and through widespread programs of religious oppression.

(u) The Communist Party supported the Communist Government of Yugoslavia when that government collaborated with the Soviet Union and the Cominform, and it has opposed and condemned the Yugoslavian Government since its defection from the Soviet Union and the Cominform.

(v) The Communist Party opposed and condemned the position taken by the United States in its opposition to the Communists in the Italian elections of 1948 and charged American policy in Italy with leading to the attempted assassination of Togliatti, the Italian Communist leader.

11 (w) From the time the scheme was first launched by the Communist Information Bureau, the Communist Party has rendered unqualified support to the "peace" campaign of the World Partisans of Peace and its Stockholm Peace Petition.

(x) The Communist Party has consistently supported the Soviet position as to the treatment of and settlement with the former Axis powers and occupied countries.

(y) The Communist Party has supported the position of the representatives and spokesmen of the Soviet Union and its satellite nations in the United Nations, including among others, the Soviet position on the questions of atom bomb control, on recognizing and seating Communist China, on the election of Yugoslavia to the Security Council in 1949, and on the use of the veto by the Soviet Union.

(z) The Communist Party has consistently supported the Communist Government of North Korea both before and after that Government's violent invasion of the Republic of South Korea; it has opposed the actions of the United States and the United Nations in defending South Korea from the aggression of the North Korean Government; and it now supports the intervention of the Chinese Communists in the Korean conflict.

IV

The Communist Party now receives and from time to time in the past has received financial aid, from or at the direction of the government and Communist Party of the Soviet Union, the Communist International and the Communist Information Bureau. As the beneficiary of such foreign aid:

(a) Communist Party publications, in effect, have been subsidized by receiving pre-paid cable information from Communist sources.

(b) The Communist Party has received quantities
12 of propaganda materials without cost for sale at a
profit.

(c) Communist Party members attending Communist training schools in the Soviet Union have received transportation and living expenses for attending such schools.

(d) Communist Party members traveling in the Soviet Union and other Communist nations for the purpose of orientation, attending Communist meetings or observing the operation of Communist governments have received transportation expenses and salaries while engaged on such missions.

(e) The Communist Party has received funds for use in infiltrating and influencing the American trade union movement.

V

The Communist Party regularly reports and has reported to the government and Communist Party of the Soviet Union and to the Communist International and the Communist Information Bureau, and has sent members and representatives to the Soviet Union and other foreign countries for instruction and training in the principles, policies, strategy, and tactics of the world Communist movement.

(a) Representatives of the Communist Party reported its programs and internal activities to the Communist International through its World Congresses held in Moscow and through its Executive Committee and Presidium, on both of which American Communists served, and received instructions in the principles, policies, strategy, and tactics of the world Communist movement.

(b) Until travel abroad was rendered impossible by
World War II, the Communist Party sent members
13 and representatives to the Soviet Union from time to
time to report the activities of the Communist Party
and to transmit to the Communist Party instructions in the
principles, policies, strategy and tactics of the world Communist movement.

(c) The Communist Party further reported its program and activities to the Soviet Government, the Communist Party of the Soviet Union and to the Communist International through representatives of the Communist International within the United States.

(d) Until travel abroad was rendered impossible by World War II, the Communist Party sent members and representatives to the Lenin Institute and other schools and classes held in the Soviet Union, and to Spain during the Spanish Civil War for instruction and training in the principles, policies, strategy and tactics of the world Communist movement.

(e) After the Communist International was dissolved in 1943, the Communist Party continued to report its policies and activities to leaders of the world Communist movement. Thus, the contents of a vital document on the organization's affairs, which was suppressed by it in the United States, were transmitted abroad during the war by means unknown and were made known to Jacques Duclos, General Secretary of the Communist Party of France and former member of the Executive Committee of the Communist International.

(f) The Communist Party continues to report to the
government and Communist Party of the Soviet Union and
the Communist Information Bureau by publishing in Com-
munist Party publications important statements, conven-
tion reports and speeches. Such matters are sub-
14 sequently commented upon by such publications as
the Soviet Union's "Pravda" and the Cominform's
"For a Lasting Peace, For a People's Democracy" which
indicate when corrections of policy are necessary.

VI

From the inception of the organization to the date of the filing of this petition, the principal leaders of the Communist Party have been and are subject to and recognize the disciplinary power of the Soviet Government, the Communist Party of the Soviet Union, the Communist International and the Communist Information Bureau and other spokesmen of the world Communist movement. This power has been exercised principally through the Communist doctrine of "democratic centralism" which binds all Communists to execute the decisions of the leaders of the world Communist movement. When leaders of the organization have failed to obey the decisions of Stalin, the Communist International and other spokesmen for the world Communist movement, they have been expelled or otherwise censured. It was in recognition of the disciplinary power exercised by the government and Communist Party of the Soviet Union and the Communist International that leaders of the Communist Party were assigned by the Communist International as its representatives in such places as China, Germany, Latin America, India and Great Britain.

VII

For the purpose of expediting and promoting its objectives and concealing its foreign direction, domination and control, the Communist Party from its inception has adopted a multitude of clandestine practices. While the degree of secrecy has varied from time to time, there has been strict adherence to the practice of secrecy during the
period from July 1945, to the time of the filing of
15 this petition. The means by which the organization
has sought to cloak itself in secrecy includes the following:

(a) The practice of having both open and concealed members;

(b) The policy of refusing to disclose to courts and other governmental agencies having a right to such information the facts concerning the membership and operations of the organization;

(c) The practice during periods of strict secrecy of destroying or secreting existing records and of not keeping membership records and of not issuing membership cards;

(d) The use of protective language in the organization's constitution to mask the organization's real objectives; and the use of words in the organization's terminology which have one meaning to the uninitiated and a completely different meaning to members of the organization;

(e) The practice of identifying members by Party names, numbers and symbols;

(f) The use of code words, couriers, confidential mailing addresses, and other similar devices;

(g) The practice of resorting to false swearing where deemed expedient;

(h) The practice of having secret meetings limited to trusted members;

(i) The reduction of the size of important committees so as to limit the number of persons who have access to vital information;

(j) The division of the membership into groups of no more than five so as to protect the identity of other members of the organization;

(k) The practice of assembling materials and devising plans for the underground operation of the organization; and

16 (l) The practice of instructing members who are not openly known as such to refuse to disclose their membership in the organization and of instructing all members of the organization to refuse to disclose the identity of other members of the organization.

VIII

From 1919 to the date of the filing of this petition, the leaders of the Communist Party and a substantial number of its members have considered the allegiance they owe the United States as being subordinate to their loyalty and obligations to the government of the Soviet Union.

(a) The government of the Soviet Union has been and is regarded as the only fatherland of the world Communist movement, which all Communists are obliged to support and defend under all circumstances.

(b) The Red flag has been and is recognized as the flag to which Communists owe primary allegiance.

(c) In the event of a war between the Soviet Union and any other nation, it is the recognized duty of all American Communists to support and defend the Soviet Union.

(d) In the event of a war between the Soviet Union and the United States, the Communists in the United States have obligated themselves to act to defeat the military efforts of the United States and to aid and support the Soviet Union. The Communist Party teaches its members that in such event they must act to foment a civil war in the United States as a means for impairing the nation's military effort and for establishing a Soviet America having a dictatorship of the proletariat such as exists in the Soviet Union.

(e) At the Seventh World Congress of the Communist International, the delegates from the Communist Party,
including some of the present leaders of the organ-
17 ization, took an oath to "Comrade Stalin, Our
Leader", pledging their complete support and
assuring him that they would be faithful to the end.

(f) To the leaders and members of the Communist Party, patriotism means solidarity with and support of the Soviet Union.

Respectfully submitted,

J. HOWARD. MCGRATH
J. Howard McGrath,
Attorney General

JAMES M. MCINERNEY
James M. McInerney,
Assistant Attorney General

IRVING S. SHAPIRO
Irving S. Shapiro,
Special Assistant to the Attorney General

WM. A. PAISLEY
William A. Paisley,
Special Assistant to the Attorney General

November 22, 1950

18 VERIFICATION

WASHINGTON, DISTRICT OF COLUMBIA ss.:

J. Howard McGrath, being duly sworn, deposes and says:

I am the petitioner above named. I have read the foregoing petition and know the contents thereof. The matters alleged are based on information and belief, and I believe them to be true. The sources of my information and the grounds of my belief are the investigative reports made by the Federal Bureau of Investigation with reference to the Communist Party of the United States of America.

J. HOWARD MCGRATH
J. Howard McGrath

Sworn to before me this 22nd day of November, 1950
A. DEVITT VANECH

* * * * * * * * * *

138 (Filed February 14, 1951)

Answer

Respondent files this answer under protest against the arbitrary, illegal and prejudicial action of the Board in ordering it to answer in advance of an adjudication of its assertion of the privilege against self-incrimination secured by the Fifth Amendment in the action pending in the District Court of the United States, entitled *Communist Party of the United States, et al.* v. *McGrath, et al.*

Respondent reaffirms and reasserts all of the grounds for the dismissal of the petition, the quashing of the proceeding and the striking of the petition set forth in its motions heretofore filed with the Board.

Answering the petition, the respondent denies that it is a Communist action organization as defined in Section 3 (3) of the Subversive Activities Control Act of 1950.

Respondent reserves the right to amend this answer in the event of a court adjudication in the above entitled action that an answer is required.

THE COMMUNIST PARTY OF THE UNITED STATES

By: Gus Hall
National Secretary

139 STATE OF NEW YORK: }
COUNTY OF NEW YORK: } ss.:

GUS HALL, being duly sworn, deposes and says: I am the National Secretary of the Communist Party of the United States and I subscribed to the foregoing answer on its behalf. I have read the foregoing answer and know the contents thereof, and the same are true.

GUS HALL

Subscribed and sworn to before me this 13th day of February, 1950

CARL BRODSKY
Notary Public

Carl Brodsky
Notary Public, State of New York
No. 35-0428950
Qualified in New York County
Term Expires March 30, 1951

* * * * * * * * * *

177 (Filed April 3, 1951)

Amended Answer

Answering the petition, the respondent states as follows:

I.

A. Respondent denies the authority of the persons purporting to act as members of the Subversive Activities Control Board to conduct this proceeding, for the reason that they do not hold lawful office, and no lawfully constituted Board is now in existence.

B. Respondent files this amended answer and participates in this proceeding under protest against the denial by the Subversive Activities Control Act of 1950 (herein called the Act) and by this proceeding of fundamental civil and political rights guaranteed to it by the Constitution and Bill of Rights.

C. Respondent reaffirms and reasserts all of the grounds for dismissing the petition, quashing the proceeding and striking the petition set forth in its motions heretofore filed in this proceeding.

II.

A. Respondent denies the first unnumbered paragraph of the petition, and further denies that it is a Communist action organization as defined by Section 3 (3) of the Act.

B. Respondent states that it was organized in 1919 and has been in existence continuously since that date, and states that its organizational structure and the relations between the national organization and its state, county, city and other units, are as defined and prescribed in its National Constitution.

C. Respondent denies the first five unlettered paragraphs of Section II of the petition. Respondent refers to
178 Part III of this answer for a true and correct statement of its purposes, the principles on which its policies are based and the manner in which they are adopted and carried out. Respondent denies paragraphs (A) to (I) of Section II of the petition, except to the extent that said paragraphs may be construed to allege the facts that: (1) it was affiliated with the Communist International prior to November, 1940; (2) it disaffiliated from the Communist International in November, 1940; (3) the Communist International was dissolved in June, 1943; (4) prior to October 16, 1943, there was an organization in the United States known as the Young Communist League, which prior to December 22, 1940, was affiliated with the Young Communist International; (5) at a Convention of the Communist Party in May, 1944, the Party reorganized itself as the Communist Political Association; (6) in July, 1945, at a Convention of the Communist Political Association, the Communist Party was reconstituted; (7) in 1929 there was a disagreement within the Communist Party; and (8) certain books and other publications, including the books and publications described in paragraph (E) of Section II, have been sold and distributed in the United States. Respondent denies the relevancy of any of the foregoing facts to any issue to be determined in this proceeding.

D. Respondent states that it has adopted and advocated views and policies on public questions of concern to the American people, and particularly the working people. Respondent denies the false, distorted and tendentious statements of Section III of the petition relating to its views and policies, their character and purpose, and further denies the relevancy of the allegations of Section III to any issue to be determined in this proceeding. Respondent refers to Part III of this answer for a true and correct statement of the character of the views and policies of the Party and the purpose of their adoption and advocacy.

E. Respondent denies that it receives financial aid from or at the direction of the Government of the Soviet
179 Union, the Communist Party of the Soviet Union,
the Communist International, or the Communist Information Bureau. Respondent denies paragraphs A, B and E of Section IV of the petition. Respondent denies the relevancy of the allegations of Section IV of the petition to any issue to be determined in this proceeding.

F. Respondent denies Section V of the petition. Respondent states that during the period of its affiliation with the Communist International, members and representatives of the Party attended and participated in meetings of its congresses and certain of its committees; that members of the respondent have from time to time visited foreign countries, including the Soviet Union; that in the past certain members of the respondent studied in the Soviet Union. Respondent denies the relevancy of any of the foregoing facts to any issue to be determined in this proceeding.

G. Respondent denies Section VI. of the petition.

H. Respondent denies Section VII of the petition, and refers to Part III of this answer for a further answer thereto.

I. Respondent denies Section VIII of the petition, and refers to Part III of this answer for a further answer thereto.

III.

A.

The Attorney General's petition misrepresents and completely distorts the Communist Party's peace policies. It adopts the supposed "Congressional findings of fact as set forth in Section 2" of the Act.

The Communist Party declares that these so-called findings are gross falsehoods, a re-hash of the Hitler-Goebbels Big Lie under cover of which the Nazis seized power in Germany and plunged the world into war.

The language of that Act paraphrases the words of Hitler, who declared that:

> 180 "The Communist Party was a section of a political movement which had its headquarters abroad and was directed from abroad . . .
>
> "We look on Bolshevism as a world peril for which there must be no toleration . . . Communism is the most frightful barbarism of all times." (*Nazi Conspiracy and Aggression,* U. S. Gov't. Printing Office, Washington, D.C. 1946. vol. 1, p. 246)

In 1820, similar slanders were spread against the United States itself by Count Metternich, architect of the reactionary European war pact known as the Holy Alliance.

According to Metternich:

> "These United States . . . have cast blame and scorn on the institutions of Europe most worthy of respect . . . fostering revolutions wherever they show themselves . . . they lend new strength to the apostles of sedition, and reanimate the courage of every conspirator." Dexter Perkins, *Hands Off! A History of the Monroe Doctrine,* Boston, 1941, pp. 56-57.

(1) The Communist Party has consistently defended world peace and the national security of the United States. The false and distorted characterization of its views and policies on international questions to Section III of the Attorney-General's petition are wholly irrelevant to the charge of foreign domination.

The petition cites a series of instances in which the policies advanced by the Communist Party were in agreement or at variance with the foreign policy of particular administrations. The Communist Party opposed the foreign policies of the Harding, Coolidge and Hoover Administrations. So did many non-Communist Americans. The Communist Party supported the main anti-Axis and peace policies of the Roosevelt Administration, while freely exercising its right to criticize or oppose certain departures from these policies which weakened the struggle for peace. It did not stand alone, either in its support or in its opposition.

The Communist Party has indeed opposed the whole war policy pursued by the bipartisan coalition in power since Roosevelt's death. But it is wholly irrelevant to the false charge of foreign domination and control that it opposed such policies as the Truman Doctrine, the Marshall
181 Plan, the North Atlantic Pact, or the U.S. Government's brazen interference in the Italian elections of 1948 which is belatedly admitted in the Attorney-General's petition. Equally irrelevant is its opposition to the rearming and re-Nazification of western Germany, to the appeasement of fascist Spain, to military support of the puppets Bao-Dai and Chiang Kai-shek, to the interventionist war in Korea, and the acts of aggression against the Chinese People's Republic.

Millions of non-Communist Americans have joined with it in opposing some or all aspects of the Truman Administration war policies. The Communist Party has been at all times in the vanguard of this growing popular opposition to all Wall Street's war aims, and has been at all times consistent in its advocacy of a peace policy based on American-Soviet cooperation.

(2) The Communist Party has supported all genuine peace proposals, regardless of where or by whom they were initiated. This fact is also irrelevant to the false charge of foreign domination and control.

The Communist Party insists that any proposal for the settlement of international differences must be judged solely by the extent to which it serves the interest of the American people—which coincide with those of all peoples who aspire to lasting peace.

It has consistently supported the peace proposals advanced by the Soviet Union for the reason that the peace policies of the Soviet Union have consistently met this supreme test. The U.S.S.R. is a socialist country, ruled by the working people. It is a land free of international cartellists, monopoly profiteers, merchants of death and others who stand to profit in any way from aggression, conquest or war. Free from the spectre of recurrent economic crisis and mass unemployment, the Soviet Union has a limitless home market for its expanding peace-time production and thus has no reason to embark on imperialist adventures abroad. Its cornerstone is the equality
182 and friendship of peoples, and it has destroyed the
social and economic roots of war by abolishing class and national oppression.

The Communist Party has not hesitated to support various peace proposals initiated by capitalist states. It has supported such policies whether put forward by President Roosevelt before and during World War II, by President Truman at Potsdam, or more recently by Premier Nehru of India and the Arab-Asian bloc in the United Nations.

The Communist Party has also supported a number of important peace campaigns initiated by people's movements in the United States and elsewhere. A notable example is the World Peace Appeal for outlawing atomic weapons through international agreement and inspection. Other examples (significantly omitted from the petition) are its support for the similar appeal made by the International Red Cross, and the peace proposals advanced by the American Quakers.

(3) It is irrelevant to examine the extent to which the position of the Communist Party on one or more issues of foreign policy coincides with that of the Soviet Union or any other nation.

The purpose of the Communist Party in advocating its peace proposals cannot be established by determining who initiated, supported, or opposed them. The only pertinent test is: does the policy advocated by the Communist Party conform to the true interests of the American people by promoting the cause of world peace?

Every example of the peace policy of the Communist Party set forth in Section III of the petition—despite the Attorney-General's attempt to falsify and distort them—illustrates the consistency of its devotion to the cause of peace, and hence to our country and people. Every cited example exposes the Attorney General's sinister effort to make it appear *that the United States is Wall Street,* and the venal interests of the big bankers and international cartellists, those of the nation.

The Communist Party declares that the American
183 people are the nation. The enemies of the nation
and people are the handful of Wall Street monopolists who lead a world-wide conspiracy to subordinate human life and liberty to their vested interests and greed for profit.

The Communists—and many non-Communists—served our country well by opposing the Wall Street monopolists who in the 1930's financed and supported Hitler, condoned the rape of Manchuria, Ethiopia and Czecho-Slovakia, and up to the day of Pearl Harbor sold oil and scrap iron to Japan. Those Americans—Communists and non-Communists—were true patriots who opposed the embargo against Republican Spain, fought in the Abraham Lincoln Brigade, and otherwise defended peace and democracy against the fascist Franco and his masters Hitler and Mussolini.

The Communist Party, and many others, opposed the Wall Street cartellists who maintained treasonous relations with their Nazi partners throughout World War II. Communists and all true defenders of the United States opposed the big monopolist corporations that refused to convert their plants to war production, until bribed with huge cost-plus contracts and excess profits.

It was the American workers, including the leaders and members of the Communist Party, who selflessly supported the U.S. anti-fascist World War II effort on the battlefront and on the home front.

The Communist Party today calls on the American people to reverse the policy that frees the Nazi war criminals, and the murderers of American G.I.'s at Malmedy. It opposes the restoration to power of Alfred Krupp, the rearming of western Germany and Japan, the rebuilding of the German and Japanese trusts under the new management of Wall Street.

The Communists are joined by millions in opposing and condemning these betrayals of the World War II dead, and the aims for which 15,000 members of the Party
184 served in the armed forces of the United States.

The foreign policies which the petition accuses the Party of opposing have now brought the world to the brink of a terrible atomic war. They have already cost over 50,000 American casualties. They have brought on the United States the hatred and moral condemnation of all peace-loving humanity. These are the policies that launched General Ridgeway's "Operation Killer," the policies of war on the colored peoples of Asia, of mass murder, of genocide.

These same imperialist policies are saddling the American people with crushing taxes, driving down the worker's living standards through unrestricted monopoly profiteering and rigid wage freezes. These policies are fostering unprecedented brutality against the Negro people, and extending the Dixiecrat system of lynch justice to our Northern cities and to the Negro G.I.'s in Korea. These policies are corrupting our youth, putting 18 year-olds in uniform and training them to become what General Hershey called a "generation of killers."

These policies mock our country's democratic traditions, and are fast destroying both the Constitution of the United States and the Charter of the United Nations.

In whole or in part, the policies which the Communist Party has opposed are opposed by a majority of the American people. The attempt, through this proceeding, to outlaw the Communist Party is therefore also an attempt to outlaw all opposition to a third world war, all united action in defense of world peace.

To this end, the petition seeks to establish that the Communist Party, and any other group that does not submit to control by the Wall Street monopolists, is "foreign dominated." The Communist Party freely admits its independence from and opposition to this war-minded financial oligarchy. This proves only that it is "dominated" by concern for the welfare of the workers and common people of the United States.

185 (4) The Attorney General's allegation as to what patriotism means to the leaders and members of the Communist Party is wholly false and malicious.

The Communist Party rejects the chauvinist slogan, "My country right or wrong." With this slogan, and in the name of German "patriotism," Hitler dragged the German people to national dishonor and national disaster, and forced them to support the Axis war against humanity.

The Communist Party subscribes to the slogan of Carl Schurz: "My country, right or wrong; when right to be kept right; when wrong to be set right."

This concept of patriotism is in the great American tradition of Abraham Lincoln, Frederick Douglas, Ralph Waldo Emerson, Henry David Thoreau and others who actively opposed the Polk Administration's annexationist war against Mexico. It is in the tradition of Carl Schurz, Mark Twain, Finley Peter Dunne and others who opposed the unjust Spanish-American war and the annexation of Puerto Rico and the Philippines. It is in the honored tradition of Euguene Debs, who was jailed for his opposition to the first World War.

Today true patriotism expresses itself in united struggles for a foreign policy that will keep our country secure in a world at peace; advance the economic and social welfare of our people by devoting America's vast resources and labor power to peace-time production and construction; defend and extend the democratic rights of all Americans, Negro and white, by defending the right of all peoples everywhere to take their own path to social progress.

In this spirit of true patriotism, the Communist Party seeks to unite all like-minded Americans—regardless of their political beliefs—in a common struggle to curb the would-be war-makers, and to reconstruct Roosevelt's "Grand Design" for world peace by establishing friendly relations and trade with the Soviet Union, the Chinese People's Republic, and the People's Democracies of Eastern Europe.

186 It is beyond dispute that today world peace must be based on agreement between the United States and the Soviet Union. By stigmatizing all agreement with the Soviet Union, and making hostility toward it the test of "patriotism", the Attorney-General reveals that the real purpose of this proceeding is to outlaw the advocacy of peace and to prepare for an American-made war of aggression and conquest.

B

The Communist Party has been an American working class political party for over thirty years. Its record is one of defense of the rights and welfare of the working class, the Negro people, and the interests of the American nation.

The true purposes and character of the Communist Party are set forth in its Constitution, which was most recently reviewed and re-adopted by the 15th National Convention in December, 1950. In its preamble the Constitution states:

"The Communist Party of the United States is a political party of the American working class, basing itself upon the principles of scientific socialism, Marxism-Leninism . . .

"The Communist Party upholds the achievements of American democracy and defends the United States Constitution and its Bill of Rights against its reactionary enemies who would destroy democracy and popular liberties. It uncompromisingly fights against imperialism and colonial oppression, against racial, national and religious discrimination, against Jim-Crowism, anti-Semitism and all forms of chauvinism.

"The Communist Party struggles for the complete destruction of fascism and for a durable peace . . .

"The Communist Party holds as a basic principle that there is an identity of interest which serves as a common bond uniting the workers of all lands. It recognizes further that the true national interests of our country and the cause of peace and progress require the solidarity of all freedom-loving peoples and the continued and ever closer cooperation of the United Nations.

"The Communist Party recognizes that the final abolition of exploitation and oppression, of economic crisis and unemployment, of reaction and war, will be achieved

187 only by the socialist reorganization of society—by the common ownership and operation of the national economy under a government of the people led by the working class.

"The Communist Party, therefore, educates the working class, in the course of its day-to-day struggles, for its historic mission, the establishment of Socialism. Socialism, the highest form of democracy, will guarantee the full realization of the right to life, liberty and the pursuit of happiness, and will turn the achievements of labor, science and culture to the use and enjoyment of all men and women."

The Communist Party is "dominated and controlled" only by its members and the leaders they elect. Article IV, Sections 1 and 2 declare:

"Every member of the Party who is in good standing has not only the right but the responsibility to participate in the making of its policies and in the election of its leading committees, officers and delegates in the manner provided for in this Constitution.

"After a through discussion in any club, committee, or Convention, decisions are made by a majority vote."

Article VII, Section 1 and 7, further states:

"The highest authority of the Party is the National Convention...."

"Between National Conventions, the National Committee is the highest authority of the Party."

(1) The roots of the Communist Party lie deep in American soil. Section I of the petition deliberately conceals the Party's historic origins, in an effort to give credence to the false charge of foreign domination.

Socialist thought, primitive socialist experiments, and socialist political organizations appeared in this country long before the existence of the Soviet Union or the Communist Party. Karl Marx once observed that, "Socialism and Communism did not originate in Germany, but in England, France and *North America.*"

Nearly one hundred years ago, and sixty years before the Socialist Revolution of 1917, the first Communist club in America was organized. Many of Marx' works were first published in this country. American Marxists supported the founding of the Republican party, and backed
188 Lincoln's 1860 campaign for the presidency.

American followers of Marx, who called themselves Communist, enlisted in the Union Army. Joseph Wedemyer and August Willich rose to the rank of Brigadier General. Among other well-known Communists of the time were Fritz Jacoby, a leader of the New York Communist Club who was killed at Fredericksburg, and Robert Rosa, a Major in the Union army.

American Marxists were active in the early trade unions. They helped form the first National Labor Union—the forerunner of the American Federation of Labor, whose head, William Sylvis, subscribed to the principles of the International Workingmen's Association—the First Communist International.

In 1881, American Marxists played a leading role in the organization of the American Federation of Labor, and their socialist views were reflected in the preamble to its first Constitution.

In 1876, the American Marxist organized as a national polictical party—the Socialist Labor Party. In 1900, the Socialist Party was established.

In the decade prior to the Russian Revolution of 1917, a strong left trend developed in the American Socialist Party led by Eugene Debs. This group finally broke with the opportunist leaders of the Socialist party, who had betrayed the principles of socialism and abandoned the struggle against the imperialist war of 1914-1918.

The victory of the first socialist revolution, and the establishment of a socialist state in the land formerly ruled by the Czars, was an historic event which naturally made a deep impression on workers all over the world, including those Americans who had long held socialist ideas and now saw their socialist dream become a reality. In 1919 these left forces in the Socialist party founded the Communist Party. Its first general secretary was Charles E. Ruthenberg, who had been imprisoned with Eugene Debs as a result of his peace activities in 1918.

189 The Communist Party chairman, William Z. Foster, was an active participant in these socialist movements, and in the struggles of the trade unions where his leadership of the 1919 steel strike made labor history. Elizabeth Gurley Flynn, a member of the Communist Party National Committee, and many of its charter or veteran members came to the Communist Party deeply imbued with socialist thought and bringing with them a rich experience of the class struggle in this country. These Communist leaders symbolize the continuity of the Communist Party history, and are living refutation of the Attorney General's specious contention that the Party is foreign in origin and alien to America.

(2) The Communist Party is a party of a new type. Far from being a "conspiracy" it is a political party of the working class.

The Communist Party is the political party of the American working class, and therefore a party of a new type. It does not conform to the structure and practices of the Democratic and Republican parties because the aims and aspirations of the working class do not conform to the aims and aspirations of the imperialist exploiters.

The Republican and Democratic parties are the servants of the monopolists, and seek to perpetrate the system of private ownership under which the few profit from the labor of the many. The Communist Party is the party of Socialism, and strives to convince the workers that it is their historic task to establish the common ownership of the nation's resources and manage its productive capacity for the benefit of all the people.

Unlike the Republican and Democratic parties, the Communist Party is free from corruption. It has never had a Teapot Dome, deep-freeze, or mink coat scandal—a Pendergast machine, or a Frank Costello in its ranks.

190 Unlike the Republican and Democratic parties, the Communist Party does not deceive the voters and make election promises to be forgotten after the votes are in.

Unlike the Republican and Democratic parties, the Communist Party does not offer the people fake "alternatives," while keeping them prisoners of the two-party system owned and run by Wall Street.

The Communist Party is the vanguard party of the American working class. In fulfillment of its vanguard role, it led the long struggle to organize the workers in the mass production industries, and to establish industrial unions. In the 1930's, the decisive sections of the American working class responded to the Communist Party's vanguard leadership, when with the assistance of hundreds of Communists the Congress of Industrial Organizations cracked the open shop in the basic industries.

During the years of Hoover's Great Depression, the Communist Party lead the successful fight for government unemployment relief and insurance.

The Communist Party is the vanguard Party of the Negro people in their struggle for national liberation and equality. It actively opposes the ideology of white supremacy and works for the alliance of the working-class with the Negro liberation struggle. It resolutely combats any expression of white chauvinism in its own ranks.

The Communist Party initiated and led the campaign that defeated the Scottsboro frame-up. It leads the fight against lynch justice, jim-crow discrimination and segregation, and the national oppression of the Negro people who are the majority in the Black Belt in the South. It fights for an F.E.P.C. and poll-tax repeal. It bent every effort to save the Martinsville martyrs and is fighting resolutely for the lives of Willie McGee and the Trenton Six.

The Communist Party is a party of a new type because it is a party that promotes Negro and white unity, and the united action of all groups and individuals prepared to struggle against the threat of fascism and war.

191 The Communist Party is a party of a new type because it engages in and helps lead all the economic struggles of the workers and common people, actively supports the wage demands and strikes of the trade unions, participates in popular movements for rent and price controls, for schools, housing and medical care. It concerns itself with the economic and social conditions of the youth, women, and small farmers. It fights against the wage-freeze, increased taxes and other effects of the huge war budget upon those least able to pay. It has led the struggle to preserve the Bill of Rights, against the reactionary drive of the war-mongers to convert our country into a police state, and to degrade our culture into an American version of Nazism.

The Communist Party is the party of peace, social progress and *Socialism.* Unlike the Republican and Democratic parties, the Communist Party seeks to educate the workers in the course of their day-to-day struggles, to promote labor unity and the united action of all peace-loving and democratic forces.

The Communist Party participates in national, state and city election campaigns. It organizes public discussion of its local and national Convention resolutions, and of the reports made to its National Committee. It uses every means available to make its policies known to the American people, and to convince them of the validity of its position on all public questions.

(3) The Communist Party promotes working class internationalism. International labor solidarity and the cooperation of the world peace forces have benefitted our own as well as other countries. The Communist Party's participation in international movements is totally irrelevant to the charge of foreign domination and control.

The Communist Party fully suscribes to and practices the view of Abraham Lincoln who said:

"The strongest bond of human sympathy, outside of the family relation, should be one uniting all working people, of all nations and tongues and kindreds."

192 The Attorney General's false charges were also answered in 1869 by William Sylvis. Noting that the program adopted at the Baltimore Convention of the National Labor Union was strikingly similar to that drawn up by Karl Marx at the Geneva Congress of the First International, Sylvis wrote to Marx: "Capital is the same tyrant in all parts of the world. Therefore, I say our cause is a common one."

Internationalism is a cherished American tradition. At its birth in 1776 our country had the fraternal assistence of Lafayette, Kosciusko and Steuben. These participants in our Revolution were not French, Polish or German "foreign agents." France did not cast out Lafayette as an "American agent," although he returned honored with American citizenship conferred on himself and his descendants.

The Union cause in our Civil War of 1861-65 owed much to the support of the British working class—which saved us from British intervention in behalf of the slave-owning insurrectionists. Yet the British workers were not "American agents," but true British patriots.

The struggle for an eight-hour day, initiated in the United States, became an international struggle in which the workers of Europe and America joined forces to better their living and working conditions.

The historic international struggles for the freedom of Dreyfus in France, for the freedom of Tom Monney, Sacco and Vanzetti, the Scottsboro boys in America, and many other similar labor defense struggles were "dominated" only by the universal concern of the peoples to save the victims of class injustice. Beginning with the Reichstag Fire trial, and the frame-up of the great Communist leader

George Dimitroff, Nazi atrocities gave rise to a tremendous wave of such international struggles.

Among the working class internationalism arose in the earliest days of the trade unions in every country.
193 They found it essential in order to protect themselves against the breaking of strikes by the employers, through importation of workers from other countries, who were kept ignorant of the existence of the strike.

The forms of working class internationalism vary. At one time, the Communist Party was affiliated with the Communist International, and participated in its congresses and political campaigns around specific issues. Those relations were terminated in 1940, and the Communist International itself dissolved in 1943. Since 1940, the Communist Party has had no international affiliation of any kind—although it follows with interest the experiences of other Communist parties, reads their journals, and on appropriate occasions sends or receives fraternal greetings.

International cooperation has often included financial assistance from workers of any countries to workers of other countries. The Communist Party raises its finances from its membership and from public appeals and campaigns. Its annual financial drive is conducted publicly. For many years the Communist Party gave financial assistance to the victims of facism, to the resistance movements in various fascist countries, and to anti-fascist refugees. Such practices have by no means been limited only to Communist or working class movements in this country. The long fight for the Irish Republic received financial support from individuals and groups in many countries. From the days of the Czarist pogroms to those of the Nazi terror, the Jewish people of Europe have received financial aid from Jews and non-Jews throughout America and the world. American Zionists have for years contributed financially to the support of their movement in other countries.

Participation in an international working class organization in no way implies any foreign "disciplinary power."

It cannot and does not imply robot-like "discipline".

194 Participation in a working-class international organization means to consult together on the basis of the different types of working-class experience in each country, to assist one another in the scientific examination of such specific conditions and experiences, and to place the combined thinking at the service of the working-class of one's own country for their consideration.

The Attorney General's false charges in this connection have an obvious and sinister purpose, as the petition reveals in its citation of the support given by the Communist Party to the mighty and growing world peace movement.

For the threat of an atomic world war has aroused the world's peoples to an altogether new appreciation of the value and power of international co-operation in defense of peace. The vast majority of the human race has formed a mighty and growing movement of struggle for peace. No nation on earth could, if it would, impose a robot-like "discipline" on these hundreds of millions of war-weary human beings. Nor can any agency of government prevent the American people from associating themselves with their fellow men and women in other lands, who are bound together by the universal and supreme will to prevent a third world war.

C.

The Communist Party has resolutely defended its constitutional rights and legal status. It functions openly as a legal political party. It maintains public national, state and section headquarters which are listed in the telephone directory. Its views are constantly released to the general press, and published in daily, weekly and monthly papers and journals which circulate through the mails and are for sale on newsstands. Books by Communist leaders are sold in bookstores everywhere. The Marxist classics are on the

shelves of public and university libraries all over the country. National, state, and section organizations of the Party
issue millions of leaflets every year—and give them
195 the widest possible circulation.

Despite the Communist Party's fight to defend its constitutional rights, and despite the wide support the American people have given this struggle, many restrictions have recently been placed on the Party's effort to present its program to the people. In a number of states the Communist Party has been deprived of its right to a place on the ballot. Almost everywhere it is denied the right to buy newspaper space for paid advertisements, or radio time. F.B.I. Director J. Edgar Hoover inadvertently admitted that the Party's right to secure meeting halls and assemble publicly has been drastically curtailed, when he told a congressional committee recently that the number of public meetings held under Communist auspices has decreased.

In similar defiance of the Constitution, the Communist Party and its members have been subjected to slander and persecution by a host of federal and local agencies, and singled out for prosecution by this Act and various state acts and local ordinances.

Communists are being robbed of their right to earn a living, as well as of their right to speak and assemble. Americans alleged to be Communists, or to hold views shared by Communists, or to have relatives or friends alleged to associate with Communists suffer similar economic and social disadvantage.

Long prison terms are meted out to men and women simply because they are Communists, Communist sympathizers, or under suspicion of having Communist ideas. Persons under suspicion of association with Communists are harassed by legislative committees, threatened with violence, and in some instances have been the victims of physical assault. Americans of foreign birth, who have lived here since infancy, are threatened with deportation and the concentration camp on the ground of such alleged sympathies or associations.

Under these conditions, Communists have in some
196 instances been obliged to safeguard their liberty
and their jobs by exercising their right to keep their
political views to themselves.

Such necessary precautions were forced on the American workers throughout the long years when their efforts to organize trade unions in the basic industries were met by blacklist, discharge, strike-breaking violence, and a whole system of legalized and extra-legal terror.

Such necessary precautions were also common among the pre-Civil War Abolitionists. What the Attorney General calls "clandestine practices" were adopted by the heroic Negro leaders Harriet Tubman and Sojourner Truth, and by the Quakers and others who maintained stations on the underground railway in the days of the Fugitive Slave Law.

In the face of these facts the Attorney General now cynically claims that the precautions forced upon Communists as a result of their persecution by the Department of Justice and other public and private bodies have been voluntarily adopted by the Communist Party to conceal its purposes. His real complaint is that despite persecution, the Party is still able to express its views publicly, and to initiate or support broad united front actions on vital issues of the day. *The purpose of this Act and of this proceeding is therefore to outlaw the Communist Party,* and remove it from all access to the market place of ideas. Their purpose is to prevent the Communists from rallying wide popular support for such policies as that adopted by the Party's National Convention in December, 1950:

"It is the sacred duty of our Party, of every worker, of every person who loves his home and country, to prevent a third world war with all its ghastly consequences. Such a war would only spell death, destruction, untold misery and starvation, not only for other peoples throughout the world, but for our own people. There is no greater patriotic duty than the prevent a third world war; for to save peace is to save America itself from destruction."

D

Throughout the 32 years of its existence, the Communist Party has been guided by the working class
197 social science first expounded a century ago by Karl Marx and Frederick Engels, and later enriched and developed by V. I. Lenin, Joseph Stalin, and their collaborators. This science was evolved from an objective analysis of the concrete economic and social conditions existing in various historic periods and in various parts of the world, and from the generalized experience of the world working class. Its chief exponents, their followers and collaborators, have analyzed the scientific laws of social change and progress, the laws of the development of capitalist production and of the irreconcilable conflicts inherent in the capitalist social system.

This science has enabled the Communist Party to guide the working people of the United States in effective struggle for immediate improvements in their living and working conditions, and to prepare them for future struggles looking toward the socialist reorganization of society.

The Communist Party naturally studies and learns from the foremost exponents of Marxism-Leninism, those whose theory and practice have been tested in experience and verified by history. But, in applying this science to the solution of the problems of the American working class and people, the Communist Party relies above all on its own leadership, on the experience of its members and other advanced workers, and upon its analysis of American conditions and the needs and desires of the American people.

Sharing a common scientific outlook, the Communist Parties of all countries naturally express similar views on current questions. This is particularly true when the questions are international in scope and related to the world wide struggle for peace.

The Attorney General's false charge that this similarity of views constitutes a "conspiracy" is as ridiculous as to

charge that similarity of views in any other science betokens some kind of conspiracy. Such a position would
return humanity to the Dark Ages, negate all science, and
ban all scientific inquiry and interchange. Yet the
198 Attorney General degrades our country's level of
intelligence by making the charge that the publication in newspapers and working class scientific journals of speeches and articles by Communist leaders represent the submission of "reports" by "foreign agents" to their supposed "superiors."

(1) In its advocacy of social change, social progress, and the eventual socialist reorganization of society the Communist Party gives its allegiance only to the sovereign power that resides in the American people.

The Communist Party declares that no fundamental social change can be brought about in our country, except by the will and united action of a majority of the American people. Least of all can the socialist reorganization of society be imported, or imposed from without. The common ownership of the means of production cannot be established by any minority group, but only when a majority of the people accept the leadership of the American working class and its Communist vanguard.

The history of the United States has been marked by many great struggles for social change and progress. Victory in these struggles has been possible only when the majority of the American people made a decisive choice and threw their weight into the balance. The outcome of today's struggles, and of those of the future, will also be decided by the majority.

This is true for our country and for all countries. This generalization of past experience is emphasized in all the literature of Marxism-Leninism, from the century-old *Communist Manifesto* through all the current documents of the Communist Party of the United States.

This fundamental principle was emphasized by the world's leading Marxist, Joseph Stalin, when on March 1, 1936, he told the American publisher Roy Howard:

" 'Export of revolution' is nonsense. Each country if it
wishes, will make its own revolution, and if it does
199 not wish to, there will be no revolution. Thus, for
example, our country wanted to make a revolution
and made it."

(2) Reaction has always levelled the "foreign agent" charge against movements for social progress, in our own and other countries. The fact that the Communist Party hails and supports the socialist achievements of the peoples of the Soviet Union and the lands of People's Democracy, and the national liberation victories and struggles of the colonial peoples, is wholly irrelevant to the false charge of "foreign domination."

Both before and during his presidency, Thomas Jefferson was denounced as an "agent of France" by the American Tories. The Federalists declared that the Democratic Clubs which Jefferson organized were "part of a vast secret and subversive international body organized by the bloody French Jacobins, and subsidized by Paris gold." These and similar false charges were used as pretexts for passing the Alien and Sedition Acts of 1798—the hated political progenitors of the Subversive Activities Control Act of 1950.

The same false charges were levelled against the early American trade unions. In sentencing the New York tailors in the conspiracy trial of 1836, Judge Edwards declared: "Trade unions are of foreign origin and I am led to believe mainly upheld by foreigners."

The Abolitionists, the woman suffrage movement, advocacy of a graduated income tax and proportional representation—even free public education—were in their time denounced as "foreign" inspired. Unemployment insurance and social security, first advanced by the Communist Party in the 1930's, were opposed as a Moscow plot to wreck the American economy.

Today American imperialism opposes the peoples' movements for social change throughout the world as "internal

aggression," organized and promoted by the Soviet Union
—and therefore to be resisted by the force and violence of
atomic world war organized by the United States.
200 This proceeding, and the Act under which it is
brought, confirm that such a view can only lead to
the destruction of all liberty in the United States itself.

The Act is planned and intended to outlaw the Communist Party. But it is not aimed at the Communists alone. Its broad target is the Constitution, the labor movement and the Negro people, and the growing people's movement of resistance to the Wall Street drive toward fascism and a third world war.

That is why it was opposed in Congress by broad forces which included the American Federation of Labor, the Congress of Industrial Organizations, the Railroad Brotherhoods, and many independent unions; the National Association for the Advancement of Colored People, the American Jewish Congress, the American Civil Liberties Union, Americans for Democratic Action, the American Veterans Committee, the National Farmers Union, the Women's International League for Peace and Freedom, the Association of the Bar of the City of New York, the National Lawyers Guild, Governor Bonner of Montana, Governor Johnson of Colorado; the noted constitutional authorities Professor Zechariah Chafee of Harvard, Professor Fowler Harper of Yale, and Professor Emeritus William Gorham Rice of Wisconsin; such distinguished citizens as Chancellor Robert M. Hutchins of the University of Chicago and Councilman Stanley M. Isaacs of New York; religious groups like the Episcopal League for Social Action and the Friends (Quakers) Committee on National Legislation; Bishop Francis Hass of Grand Rapids, Michigan and many others. More than 20 major newspapers, and thousands of local groups, condemned this measure.

The nationwide movement which opposed the Act at the time of its passage has grown and will continue to grow. For this war measure was pushed through Congress at a time when the Korean war hysteria was at fever pitch, and before broad sections of the American people had learned

201 from experience that it is an unjust and unnecessary war entailing heavy sacrifice and threatening our country and the world with atomic catastrophe.

The Communist Party reaffirms its faith that the American people will build an invincible united front of resistance to those who are driving our nation toward fascism and a third world war.

We confidently predict that the Act will be repudiated, as the Alien and Sedition Acts and the Fugitive Slave Act were nullified by the popular will.

We reaffirm our allegiance to the American working class which gave birth to the Communist Party, to the American people and the nation whose interests we have served and will continue to serve under any and all conditions.

We unqualifiedly deny the Attorney General's slanders, and assert that the Communist Party and Americans of all political affiliation have the right and the duty to organize in defense of peace and the Bill of Rights.

Whatever may be the decision of this illegally constituted Board, we have no doubt that the American workers and common people—Negro and white—will follow the precept of Thomas Jefferson and join their forces to guarantee that "we shall see the reign of the witches pass over, and the people recovering their true right."

THE COMMUNIST PARTY OF THE UNITED STATES
by GUS HALL

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202 VERIFICATION

State of New York } ss.
County of New York }

Gus Hall, being duly sworn, deposes and says: I am the National Secretary of the Communist Party of the United States and I subscribed to the foregoing amended answer on its behalf. I have read the foregoing amended answer and know the contents thereof. The matters alleged therein are based on information and belief, and I believe them to be true.

GUS HALL

Subscribed and sworn to before
me this 31 day of March, 1951.

CARL BRODSKY
Notary Public

CARL BRODSKY
Notary Public, State of New York
No. 31-0428950
Qualified in New York County
Certificates filed in the following offices:
County Clerk; New York County
Register; New York County
Commission Expires March 30, 1953

* * * * * * * * * *

318 (Filed November 20, 1951)

Motion for the Disqualification of Dr. Kathryn McHale

The respondent, by its counsel, moves that Dr. Kathryn McHale be disqualified from any further participation in the proceeding against the respondent. In support of this motion, the respondent has filed the accompanying affidavit of bias and prejudice executed on its behalf by one of its counsel, John J. Abt.

VITO MARCANTONIO
JOHN J. ABT
JOSEPH FORER
Attorneys for the Respondent

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319 (Filed November 20, 1951)

Affidavit of Bias and Prejudice

DISTRICT OF COLUMBIA, *ss:*

John J. Abt, being first duly sworn, deposes and says:

1. I am one of the attorneys for the respondent in the above-entitled proceeding. I make this affidavit for and on

behalf of the respondent. This affidavit is made pursuant to Section 7 of the Administrative Procedure Act, 5 U. S. Code sec. 1006.

2. Dr. Kathryn McHale, a member of the Subversive Activities Control Board and a member of the panel which is conducting the hearing in the above-entitled case, has a personal bias and prejudice against the respondent and in favor of the petitioner. Facts and reasons for the belief that such bias and prejudice exist are set forth in paragraphs 3, 4, 5, 6, and 7 hereof. The statements in paragraphs 3, 4, 5, 6, and 7 are made on information and belief, derived from newspaper accounts of the speech of Dr. McHale referred to in such paragraphs and from what purported to be a copy of said speech.

3. On November 15, 1951, Dr. McHale made a speech in Washington, D. C. at a luncheon of the Woman's National Democratic Club. In this speech, she discussed, among other things, the proceeding against the respondent now pending before her. This in itself was a gross impropriety which, if indulged in by a judge or juror in a pending case would require a mistrial. The tenor of Dr. McHale's references to this proceeding, furthermore, was, in effect, that she and her listeners knew that the respondent is guilty of the charges made in the Attorney General's petition, and that the problem is only whether this known guilt can be established by evidence. "What the outcome will be," she said, "is any one's guess. But as an old recipe for
320 rabbit stew goes, we must first catch the rabbit." That is, Dr. McHale identified herself with the endeavor of the petition (the "hunter" of the "rabbit") to convict the respondent. Dr. McHale also stated that the hearings pending herein offer "an opportunity for a continuing education into the true nature of democracy." By this statement Dr. McHale implied that the respondent is guilty but that the "true nature of democracy" requires respondent nevertheless to be accorded a hearing.

4. Dr. McHale stated in her speech that the proceeding against the respondent "is a warning to joiners to stop,

look and listen before affiliating with any group." This remark obviously derives from a belief that the government's evidence has shown that the respondent is something to be warned against and has shown that it is an organization which people should hesitate to affiliate with. Furthermore, the remark indicates her belief that persons should be cautious about joining other organizations. Since other organizations can be proscribed under the McCarran Act only if the respondent is first proscribed, Dr. McHale obviously assumed that an order adverse to the respondent was as good as entered. In short, these remarks demonstrate that Dr. McHale has already come to a conclusion concerning the case even before the respondent has had an opportunity to introduce its evidence.

5. One of the issues being tried before the panel is the views and policies of the respondent toward Germany prior to and after the Soviet-German Non-Aggression Pact of 1939. The petitioner's witness on the stand at the time of Dr. McHale's speech testified on this subject. The petitioner seeks to prove that the respondent shifted its views and policies toward Germany upon the conclusion of this Pact, and that its doing so is evidence that the respondent is dominated and controlled by the Soviet Union. In her speech, Dr. McHale stated: "It was the Hitler-Stalin Pact that called attention to the American Communists switching from their previous position. The switch did not look like 'sympathy' to our Congress, but like direct control outside the U.S.A." 321 Thus, Dr. McHale demonstrated a prejudgment of the question of whether a switch in policy had occurred and indicated her belief that the supposed switch was indicative of foreign control of the respondent.

6. Among the issues before the panel are whether the Soviet Union is attempting to overthrow existing governments by force, infiltration, and other means, and whether the Soviet Union and the "world Communist movement" represent a danger to the security of the United States.

Dr. McHale showed that she has prejudged these issues by stating in her speech:

"As 1947 came, things were happening fast. Before that, as long as Russia seemed powerless to hurt America, she was regarded as a remote danger. Then, instead, she continued to maintain and build a strong army; took over countries as Czechoslovakia, et al.; stepped up infiltration; blocked atomic control and inspection; etc. What was formerly regarded as a remote danger began to be regarded as an immediate one."

7. Dr. McHale also stated in her speech concerning the hearings pending before her: " . . . the Communist Party has seized every legal opportunity to inject postponement on legal technicalities, which has so far interfered with a continuous schedule of hearings." Obviously, the making of this criticism was improper. Furthermore, it is untrue. The criticism is particularly unjust because the hearings have been unduly prolonged by the acquiescence of the panel (including Dr. McHale as a member thereof) in the petitioner's endeavor to encumber the record with a great volume of irrelevant, cumulative and repetitious material.

JOHN J. ABT

Subscribed and sworn to before me this 19th day of November, 1951.

RAYMOND GODBERSEN
(SEAL) *Notary Public*

CERTIFICATE OF COUNSEL

I certify that the foregoing affidavit is made in good faith.

JOHN J. ABT

* * * * * * * * * *

322 **Opinion and Order of the Board Denying Respondent's Motion for the Disqualification of Dr. Kathryn McHale**

On November 20, 1951, Respondent, by its counsel, moved that Dr. Kathryn McHale, a Member of the Board and of its Hearing Panel in the above-entitled proceedings, be disqualified from any further participation therein, and in support of such motion has submitted an affidavit of alleged personal bias and prejudice executed by one of its counsel.

The affidavit, in substance, charges on information and belief, that such personal bias and prejudice against the Respondent is shown by a speech delivered by Board Member McHale on November 15, 1951 at a luncheon of the Women's National Democratic Club in Washington, D. C.

Dr. McHale has furnished a copy of her speech as it was presented at the aforesaid luncheon to the other Members of the Board.[1] For the reasons hereinafter mentioned, we find nothing in the speech which in our opinion supports a charge that she has prejudged the issues in the pending proceedings or is personally biased or prejudiced against Respondent.

In *Hurd* v. *Letts,* 80 App. D. C. 233, 152 F. 2d 121 (1945), the Court stated the well-established rule that a sufficient affidavit of bias and prejudice must state facts and reasons tending to show personal bias and prejudice regarding the case pending and must give support to the charge of a mental inclination that may prevent or impede impartiality of judgment. However, nothing in Respondent's affidavit or Dr. McHale's speech satisfies the requirements of this rule.

In *United States* v. *Dennis,* 183 F. 2d 201 (C.C.A. 2, 1950) affd. 341 U. S. 494, commonly known as the trial of the eleven Communists, it was charged that a juror should be withdrawn because he had made a speech in which he had said, "We are already fighting a war with Communism and it should be a fight to the death." Nevertheless, the
323 Court of Appeals stated that such a declaration by the juror was insufficient to disqualify him. See also *Federal Trade Commission* v. *Cement Institute,* 333 U. S. 683, 700-703 (1948).

Dr. McHale's speech taken as a whole consists of nothing more than a brief reference to: (1) the history of the Subversive Activities Control Act; (2) the purpose of the Board as provided for in such Act; (3) a summarization of the registration provisions; and (4) a concise resume of the contents of the Attorney General's petition in these proceedings. In our opinion, this speech fails to indicate bias, prejudice or prejudgment.

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[1] A true copy of which is hereto annexed.

Respondent's affidavit consists of extracting expressions from Dr. McHale's speech and importing to them a meaning which, in our opinion, is unjustified when such words are read in the context of the speech as a whole. Significantly Respondent fails to note the language of the speech where, in briefly summarizing the subject of the Act, Dr. McHale stated, "The requirement is to strike at Communist conspiracy, if it exists, without tearing the fabric of the Constitution which protects us all. Freedom for discussion, for criticism, for new ideas has been basic in our system."

Again, in discussing the action required of the Board by the Act upon the filing against an organization of a petition of the Attorney General, she said, " * * * the Board holds hearing on facts and will finally issue an order of requirement based upon the preponderance of the evidence, if such exists. The Board examines witnesses, documentary evidence, etc., to determine its findings in each case."

Under the circumstances, we do not believe it necessary to discuss in detail those parts of the speech which taken out of context are relied upon by Respondent.

For the reasons stated above, Respondent's motion should be and hereby is denied. It is so ordered.

By direction of the Board.

PETER CAMPBELL BROWN
Acting Chairman

(SEAL)

Dated: December 4th, 1951
Washington, D. C.

* * * * * * * * * *

As I sat here listening to the eloquent introduction of your Chairman, there was just one little doubt that crossed my mind. It occurred to me that if I were really as smart as the Chairman says I am, I would never have let the Committee talk me into making this speech.

The Internal Security Act of 1950, sometimes called the McCarran Act or the anti-Communist law, is one of the least understood laws in the history of the republic. Yet, it is highly important that American's understand it, since it involves (1) our national safety and (2) our individual liberties.

On September 20, 1950, the law was passed overwhelmingly by the House and the Senate. The President vetoed it two days later. Only ten per cent of each house supported his veto. No matter what critics may say, it is the law of the land. It is something new under the sun. It is a complex law, designed to deal with what Congress contends is a clear and immediate danger. All Americans must make a continuing effort at better understanding. We are told by law analysts that the final decision on cases under this Act will be foremost in the legal archives of the future.

Now that you have had some strong coffee, let us take a brief glance at the law itself. It is about 25,000 words in length. It took thirty months to draft this legislation, in other words, it was not hastily drawn. The requirement is to strike at Communist conspiracy, if it exists, without tearing the fabric of the Constitution which protects us all. Freedom for discussion, for criticism, for new ideas has been basic in our system. The Constitution itself provides for change, when and if enough people desire it.

There has been a Communist Party in the United States since World War I; it is only in the last ten years that Congress has been concerned, and only in the last three or four years that the problem, to them, has become an urgent one. It was the Hitler-Stalin Pact that called attention to the American Communists switching from their previous

position. The switch did not look like "sympathy" to our Congress, but like direct control outside the U.S.A. Congress passed the Smith Act in 1940, making it a crime to advocate the overthrow of government by force and violence. Before this Act could get a tryout, however, we were fighting on Soviet Russia's side against Hitler. They were our allies. And optimistic Americans seemed serene and friendly about our relationship. They hoped that the Soviet would reciprocate the friendliness of the war years and that we could concert all energies to peaceful reconstruction. You know what happened, of course. As 1947 came, things were happening fast. Before that, as long as Russia seemed powerless to hurt America, she was regarded as a remote danger. Then, instead, she continued to
325 maintain and build a strong army; took over countries as Czechoslovakia, et al.; stepped up infiltration; blocked atomic control and inspection; etc. What was formerly regarded as a remote danger began to be regarded as an immediate one. So the Congress initiated and finally produced the Internal Security Act of 1950.

Exercising their Constitutional rights, the Congress declared: "There exists a world Communist movement" which they set out in fifteen statements in describing the necessity to enact legislation to meet a "clear and present danger" to the security of the U. S. A.

It is about only one part of this legislation that I want to talk to you today, namely the registration feature. The law required registration with the Attorney General within thirty days after its passage, of certain groups and individuals described in the Act; it also required the submission of annual reports by such groups and individuals and other data as specified in the law. No one registered.

Under the Act, the Subversive Activities Control Board was set up, with the duty of determining whether any organization is a "Communist-action organization" or a "Communist-front organization" within the definitions set out in the law. Therefore, upon application made by the

Attorney General that an organization or an individual so designated which has not done so, should register, the Board holds hearings on facts and will finally issue an order of requirement based upon the preponderance of the evidence, if such exists. The Board examines witnesses, documentary evidence, etc., to determine its findings in each case.

To date, the Attorney General has submitted only one petition to the Board, one concerning the Communist Party of the U. S. A. In it, he petitions the Board for an order, after appropriate proceedings, directing the Communist Party of the U. S. A. to register with the Attorney General as a Communist-action organization. In the petition, the Attorney General makes some sixty-six separate allegations which he contends show that the Communist Party of the U. S. A. is indeed a Communist-action organization, and which he believes show:

1. History and foundation of the Communist Party of the U. S. A.
2. Direction and control of the Communist Party by a world Communist movement.
3. Non-deviation of the Communist Party from policies of foreign powers.
4. Financial aid to the Communist Party of the U. S. A. from foreign powers.
5. Reporting of the Communist Party of the U. S. A. to foreign powers; training of Communist Party members abroad.

326 6. Recognition of disciplinary power of foreign Communist leaders.

7. Clandestine practices of the Communist Party.
8. Allegiance to the United States as subordinate to the Soviet Union as the fatherland.

As of November 1, the Attorney General has already presented 354 exhibits to be considered by the Board and the Communist Party has presented 26. The testimony up to that time had consumed 6,775 pages of transcript, fourteen witnesses having been called by the government.

The findings of the Board as to the facts, in this as well as in any other cases which may be presented to the Board, determines the status of the organization or individual. Such decision of the Board is subject to review by the courts, however.

If a finding is made against an organization or an individual, it must register; in registering, foreign control is admitted; then the membership, literature and broadcasts of any such group will be labeled, its financing revealed, etc. Refusal to register under the Act carries certain penalties: imprisonment and/or fine. The alternative to these is that of evasion which has to be faced too.

Whatever happens, here is an opportunity for a continuing education into the true nature of democracy. It is a warning to joiners to stop, look and listen before affiliating with any group. What the outcome will be is anyone's guess. But as an old recipe for rabbit stew goes, we must first catch the rabbit.

You are cordially invited to all hearings, which are open to the public. They will prove a revelation to you of your responsibility in national security. They are held from Monday through Thursday on the first floor of the Lafayette Building at 811 Vermont Avenue from 10 a.m. to 12:15 M and from 2:00 p.m. to 4:15 p.m. Call to be sure there is no recess the day you want to come, for the Communist Party has seized every legal opportunity to inject postponement on legal technicalities, which has so far interfered with a continuous schedule of hearings.

* * * * * * * * * *

860 (Filed November 24, 1952)

Motion to Disqualify Board Chairman Peter Campbell Brown

The Respondent moves that Board Chairman Peter Campbell Brown be disqualified from participating further in this proceeding. In support of this motion there is attached hereto an affidavit of bias and prejudice.

Respondent requests oral argument on this.

Vito Marcantonio
Vito Marcantonio

John J. Abt
John Abt

Joseph Forer
Joseph Forer
Attorneys for Respondent.

* * * * * * * * * *

861 **Affidavit of Bias and Prejudice**

State of New York } ss:
County of New York }

Joseph Forer, being first duly sworn, deposes and says:

1. I am one of the counsel for Respondent in the pending proceeding before the Subversive Activities Control Board.

2. In my opinion, Peter Campbell Brown, chairman of the Board, has exhibited bias and prejudice against Respondent and in favor of Petitioner.

3. As a basis for this opinion, I state the following matters on information and belief.

A. On November 16, 1952, Mr. Brown participated in a television program known as "Georgetown University Forum", on the subject, "United States Government v. Communist Party." The moderator of this discussion was one Frank Blair. The other participants in the discussion were George R. Gallegher, General Counsel of the Board, and one Edward Bennett Williams. On the same day, the same persons participated in a radio program with the same title and along the same lines.

B. Mr. Gallegher was the principal draftsman of the Recommended Decision of the Panel. He headed and instructed the staff of the Board which prepared drafts thereof for submission to the Panel, consulted with the Panel on the drafts, and was responsible for making required changes to meet the wishes of the Panel and for producing the final draft.

C. The theme of the television and radio programs, supported by all the participants therein, was that the Respondent herein is a subversive agent of the Soviet Union, and that the Panel had done a great job by officially labelling the Respondent as such an organization. In the course of the televised discussion, Mr. Brown stated, among other things: that there had been a definite showing made against Respondent on each of the eight criteria established by the Act for the determination of a Communist Action organization; that the Act defined a Communist-front organization as one controlled by the Communist Party; that he assumed that it would be the Respondent which would appeal the order which the full Board would enter 862 in this proceeding; that the Panel's contribution was that it had for the first time caused the respondent to be labelled for "what it really is", an instrumentality of a foreign government; that the Respondent had never deviated in its positions from the positions of the Soviet Union; that Gitlow, a witness in this proceeding, has been expelled from Respondent by order of Stalin.

D. In the course of the televised discussion, Mr. Gallegher stated, among other things, that the greatest domestic threat is the existence of the Communist Party; and that the proceeding before the Panel debunked Respondent's "pose" as a political Party and proved it to be an instrument of the Soviet Union.

E. Throughout the televised program, Mr. Blair and Mr. Williams made comments hostile to the Respondent.

JOSEPH FORER
Joseph Forer

Subscribed and sworn to before me this 19th day of November, 1952.

Betty Weinman
Notary Public

Betty Weinman
Notary Public, State of New York
No. 31-9580050
Qualified in New York County
Cert. filed with City Reg. N. Y. County
Commission Expires March 30, 1954.

* * * * * * * * * *

863 (Filed November 24, 1952)

Motion to Re-open Hearing Before Panel

The Respondent moves that the Board direct that the hearing before the Panel be reopened, for the following purposes:

1. In order to permit Respondent to introduce evidence to prove:

(a) That Petitioner's witnesses, Mary Stalcup Markward, William Garfield Cummings, and Bereniece Baldwin, testified falsely and perjuriously in the proceedings herein in answering questions as to whether they had been paid for their services as informers and as to the amount of such payments.

(b) That such false and perjurious testimony was known by the Petitioner, the Attorney General of the United States, to be false and perjurious.

2. In order to permit Respondent to examine the named witnesses, and employees of the Petitioner, to ascertain whether these witnesses had been instructed by Petitioner or his agents to give false testimony in other respects as well, and whether they did so.

3. In order to permit Respondent to obtain, by subpoena or by order of the Panel, the records of the Petitioner with

regard to the amounts paid by or at the direction of Petitioner to each of Petitioner's witnesses.

If the foregoing is denied, then Respondent moves that the testimony of the three named witnesses be stricken.

In support of, and for the grounds of, this motion, Respondent refers to the annexed affidavit of John J. Abt, its counsel. Respondent requests oral argument on this motion.

VITO MARCANTONIO
Vito Marcantonio

JOHN J. ABT
John J. Abt

JOSEPH FORER
Joseph Forer
Attorneys for Respondent.

Office Executive Secretary Received Nov. 24, 1952 10:20 A. M. Subversive Activities Control Board — Registered Article 384688

* * * * * * * * * *

864 **Affidavit in Support of Motion to Re-open Hearing**

CITY OF NEW YORK
STATE OF NEW YORK } ss:
COUNTY OF NEW YORK

JOHN J. ABT, being first duly sworn, deposes and says:

1. I am one of Respondent's counsel in the proceeding pending before the Subversive Activities Control Board.

2. On or about November 14th, 1952, I learned that the United States government had stipulated in the pending New York Smith Act trial, U. S. v. Flynn, et al. (C. 136-7), United States District Court for the Southern District of New York, as to the payments made by the Federal Bureau of Investigation to certain persons for their services and expenses in spying on the Communist Party of the United States, the Respondent herein.

3. I have examined the aforesaid stipulation. It is dated November 12th, 1952, and lists the payments made to September 10th, 1952.

4. Mary Stalcup Markward was a witness for the Petitioner in the proceeding herein. She had been, according to her testimony, a plant in the Respondent for the F. B. I. She testified that she had not been paid any salary by the F. B. I. and that the only money she received from the F. B. I. was reimbursement for expenses such as paying dues, making contributions, buying literature, "and other incidental things." She testified that none of her activity for the government was contingent upon receipt of any money, and that she volunteered to be a spy "without remuneration of any kind". She testified that the expense
865 payments were received by her in irregular amounts at irregular times. When asked how long she had worked for the F. B. I., she testified that she "was engaged in this activity from May of 1943 until October of 1949." She also testified that she could not state how much money she had received from the F. B. I. She also testified that she had made no formal financial arrangements with the F. B. I., and that the payments made to her were made at the initiative of the F. B. I. (Tr. 5841-5842, 5955-5958).

5. The aforesaid stipulation lists payments to Markward as follows:

Year	Paid for Services	Paid for Expenses
1943	$ 507.95	$ 2.00
1944	1,646.00	50.00
1945	2,660.00	
1946	4,450.00	
1947	4,885.00	
1948	4,605.50	
1949	3,875.00	
1950	450.00	
1951	450.00	45.00
1952	350.00	50.00
TOTALS:	$23,829.45	$147.00

* * * * * * * * * *

866 10. A copy of the aforesaid stipulation is attached hereto.

JOHN J. ABT
John J. Abt

Subscribed and sworn to before me this 20th day of November, 1952.

Betty Weinman
Notary Public

BETTY WEINMAN
Notary Public, State of New York
No. 31-9580050
Qualified in New York County
Cert. filed with City Reg. N. Y. County
Commission Expires March 30, 1954.

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867 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ELIZABETH GURLEY FLYNN, et al., *Defendants.*

Stipulation

C 136-7

The defendants herein have heretofore caused to be issued and served upon the Attorney General of the United States a subpoena duces tecum requiring the production of all vouchers, receipts, cancelled checks and other records showing all payments ever made by the Department of Justice or any of its constituent divisions and bureaus to the following individuals: *Louis Francis Budenz, John Lautner, Harvey Matusow, Bereniece Baldwin, Louis Rosser, Charles W. Nicodemus, Ralph Vernon Long, Mary Stalcup Markward, William G. Cummings, Thomas Aaron*

Younglove; and all records showing the date, place, amount of such payments, the reasons for and purposes of such payments; the nature of the services compensated for by such payments; and where payments were made as compensation for expenses, all records describing said expenses.

In lieu of the production of the aforesaid records, the prosecution has supplied to the defendants, and the defendants have accepted, certain data concerning payments to each of the persons above named. The prosecution represents that said data, which are incorporated in the figures hereinafter set forth, accurately state the facts concerning all the payments made up to and including September
868 10, 1952 to each of said persons, the amount, date and
purpose thereof, except that the prosecution has not caused a search to be made of records of payments by United States Marshals in all districts to each of the persons above named. The prosecution represents that the figures hereinafter set forth include all payments of which it has knowledge made by United States Marshals to the aforesaid persons.

In consideration of the foregoing, and upon the data submitted by the prosecution, and in order to facilitate the progress of the trial,

It Is Stipulated by and among the defendants and the prosecution as follows:

I.

That if the appropriate officer of the Federal Bureau of Investigation were to produce the records of that Bureau described in the above subpoena, and were to be called and sworn as a witness for the defendants in this trial, he would testify that the Federal Bureau of Investigation has paid to the witnesses for the prosecution in this case up to and including September 10, 1952 the sums set out below after the names of each, and for the years indicated, and that such payments were made for services performed and expenses incurred by such witnesses in furnishing information to the Federal Bureau of Investigation concerning the Communist Party or its activities or members, or the defendants herein, or some of them.

* * * * * * * * * *

869 Mary Stalcup Markward

Year	Services	Expenses	Total
1943	$ 507.95	$ 2.00	$ 509.95
1944	1,646.00	50.00	1,696.00
1945	2,660.00		2,660.00
1946	4,450.00		4,450.00
1947	4,885.00		4,885.00
1948	4,605.50		4,605.50
1949	3,875.00		3,875.00
1950	450.00		450.00
1951	450.00	45.00	495.00
1952	350.00	50.00	400.00
Grand Total	$23,879.45	$147.00	$24,026.45

* * * * * * * * * *

870

II.

That if the appropriate officer of the Department of Justice were to produce the records of that Department described in the above subpoena, and were to be called and sworn as a witness for the defendants in this trial, he would testify that the Department of Justice (exclusive of the Federal Bureau of Investigation) has paid to the witnesses for the prosecution in this case up to and including September 10, 1952, the sums set out below after the names of each, and for the years indicated, and that such payments were made in connection with witness fees, transportation, per diem, furnishing information and consultation with respect to testimony in this and other cases involving the Communist Party or its activities or members, or the defendants herein, or some of them.

* * * * * * * * * *

	Witness Fees	Tran's and Per Diem	Total
871 Mary Stalcup Markward			
Other Cases (9 days at $25; 7 days at $4)	$253.00	$ 6.58	$259.58
This case (11 days at $4)	44.00	145.48	189.48
Grand Total	$297.00	$152.06	$449.06

* * * * * * * * * *

872 The defendants shall not be precluded by the
making of this stipulation from showing that any of
the individuals named herein as a recipient of payments
from the Department of Justice received other or different
payments from those recited in this stipulation, but nothing
herein contained shall be construed as an admission
873 on the part of the prosecution of the defendants'
right to offer such evidence.

Dated: New York, N.Y., November 12, 1952.

/s/ Myles J. Lane per D.L.M.
Myles J. Lane, United States
Attorney for the Southern
District of New York.
Attorney for United States
of America.

/s/ Elizabeth Gurley Flynn
Elizabeth Gurley Flynn,
Attorney pro se.

/s/ Pettis Perry
Pettis Perry,
Attorney pro se.

/s/ Mary M. Kaufman
Mary M. Kaufman,
Attorney for defendants
Betty Gannett, Louis
Weinstock.

/s/ Frank Serri
Frank Serri,
Attorney for defendants
Albert F. Lannon, Alexander
Trachtenberg, William W.
Weinstone.

/s/ James T. Wright
James T. Wright, Attorney for
defendants George Blake
Charney, Arnold S. Johnson.

/s/ John T. McTernan
John T. McTernan,
Attorney for defendants
Alexander Bittleman, Victor
J. Jerome, Claudia Jones,
Jacob Mindel.

* * * * * * * * * *

893 **Affidavit of Peter Campbell Brown**

District of Columbia }
City of Washington } ss.

Peter Campbell Brown, being first duly sworn, deposes and says:

1. I am Chairman of the Subversive Activities Control Board and was presiding member of the Hearing Panel in the above entitled proceeding.

2. On November 16, 1952, I participated as a guest in unrehearsed television and radio programs known as "The Georgetown University Forum". The other participants thereon were Messrs. Frank Blair, moderator, George R. Gallagher and Edward Bennett Williams. The questions asked of me were not known by me in advance.

3. My appearance on the aforesaid programs was subsequent to the issuance by the aforesaid Hearing Panel of its findings of fact and recommended decision in the above entitled proceeding, which is a part of the official public

record therein. In these findings of fact and recommended decision, the aforesaid Hearing Panel found upon the basis of the completed evidence adduced before it that the above entitled Respondent is a Communist-action organization as defined in the Internal Security Act of 1950 and recommended that the aforementioned Board enter an appropriate order requiring the respondent to register as such with the Attorney General of the United States.

4. During the aforesaid television program, I summarized briefly those provisions of the aforesaid Act which are administered by the Board, the functions of the Board, the issues in the above entitled proceeding and related concisely several of the findings contained in the aforesaid recommended decision which the Hearing Panel, consisting of my colleague and myself, had issued previously to the parties in the above entitled proceeding.

5. I did not state that the Panel had done a "great job" in any respect nor that the aforementioned respondent is a "subversive agent" of the Soviet Union.

6. Consonant with the findings set forth in the recommended decision, I stated that in the above entitled proceeding petitioner had made a definite showing under each of the eight criteria provided in the aforesaid Act for determination of a Communist-action organization.

894 7. In relating the definition in the aforesaid Act of a Communist-front organization I utilized inadvertently the term "Communist Party" instead of "Communist-action organization".

8. In answer to a question as to whether the aforesaid respondent would appeal the decision in the above entitled proceeding, I stated my belief that this would be done if the decision of the Board were adverse to the aforesaid respondent; that I would assume that the respondent would appeal although I could at no time speak for the other members of the Board as the decision in the above entitled proceeding was not final. This opinion was based upon the

evidence which had been adduced before me during the hearing, and the Hearing Panel's findings thereon.

9. In referring to the Hearing Panel's findings of fact and recommended decision, I stated, in essence, that it is the first time that the aforementioned respondent had been labeled for what it is, an instrumentality of a foreign government. In effect, omitting the words "first time", this was the conclusion of the Hearing Panel in its findings and recommended decision.

10. In alluding to specific findings in the recommended decision I related, in accordance with such findings, that respondent had not deviated in its positions from those of the Soviet Union and that the witness Gitlow had been expelled from respondent by order of Stalin.

11. I stated specifically during the aforementioned programs that I could not speak for the Board as to the ultimate decision in the aforementioned proceeding.

12. Such statements of fact as were made by me during the aforementioned programs were based upon the aforesaid Act and the findings and conclusions made by my colleague and myself in the recommended decision.

13. My sole interest and concern at all times in the above entitled proceeding has been and will be to decide each matter on its merits and in accordance with the standards set forth in the statutes and regulations governing the conduct and decisions of the aforementioned Board. This I have done and will continue to do.

PETER CAMPBELL BROWN
Peter Campbell Brown

Sworn and subscribed to before me this 16th day of December, 1952.

ELLEN C. DONAHAY,
(Seal) *Notary Public, D. C.*

My Commission expires July 31, 1956.

* * * * * * * * * *

Respondent has filed various motions: to disqualify Board Chairman Brown; to defer decision until a fifth member can participate; to re-open the hearing; and to strike the recommended decision.

Petitioner filed a memorandum in opposition to said motions. Oral argument on the motions took place before the Board on December 19, 1952.

We examine first the motion to disqualify Chairman Brown, which is supported by an affidavit of bias and prejudice executed by Joseph Forer, Esq., of counsel to respondent in this proceeding. The charges of bias and prejudice are, essentially, that subsequent to the recommended decision in this proceeding, i.e., on November 16, 1952, Chairman Brown participated in television and radio programs known as "The Georgetown University Forum"; that among the other three participants thereon was the Board's General Counsel; that during the television program certain statements, which are set forth in the affidavit of Mr. Forer, were made by Chairman Brown and by the General Counsel to the Board; and that these statements reveal a bias and prejudice by Chairman Brown in favor of petitioner and against respondent.

Chairman Brown has voluntarily submitted to the Board his affidavit in response to Mr. Forer's affidavit. By Board action dated December 16, 1952, this was made a part of the record in this proceeding. It was served upon both parties prior to the oral argument on these motions. No objection thereto was interposed by either of the parties.

Chairman Brown, individually, and the Board,
903 with Chairman Brown not participating therein,
have considered the motion and will rule thereon
separately.

Upon due consideration of this motion and the supporting affidavit, Chairman Brown deems himself not to be biased and prejudiced, as alleged, and finds himself not to be disqualified from further participation in this proceeding.

It is the Board's opinion, with Chairman Brown not participating, that the allegations in respondent's affidavit fall far short of establishing personal bias or prejudice or any other ground of disqualification recognized by law. It is noted that the aforesaid program took place subsequent to the issuance by Chairman Brown and his colleague on the hearing panel, Member McHale, of their recommended decision in this proceeding. It is clear that any statements made by an employee of the Board, such as those alleged by respondent herein, cannot serve to impute personal bias or prejudice to a Board member nor be utilized as a basis for the member's disqualification. Respondent's affidavit is legally insufficient to serve as the basis for the disqualification of Chairman Brown.

We have, in addition, examined the affidavit of Chairman Brown and as a result thereof, we find him not to be biased and prejudiced, as alleged.

We turn now to respondent's motion to defer decision until a fifth board member can participate therein.

This motion is based upon these grounds: (1) there is presently a vacancy on this Board, the full complement of which is five; (2) two members of the Board sat on the hearing panel in this proceeding and issued the recommended decision; and these same two members have "exhibited bias and prejudice, a prejudgment of the case and an inability or indisposition to adjudicate the case fairly". In support of this motion respondent refers to its exceptions to the recommended decision, its brief in support of such exceptions and the affidavits of bias and prejudice filed in this proceeding against Chairman Brown and Member McHale.

904 The Board previously disposed of respondent's motion to disqualify Member McHale on December 4, 1951, by ruling that Member McHale had not exhibited bias and prejudice and was therefore not disqualified. On

this date the Board has ruled to the same effect as to Chairman Brown. Consequently, we believe this motion to defer decision until a fifth board member can participate is without merit and should be denied.

Ruling is reserved on respondent's motions to re-open the hearing and to strike the recommended decision pending oral argument on the exceptions to the recommended decision and a review by the Board of the entire proceeding.

IT IS THEREFORE ORDERED that respondent's motions to disqualify Chairman Brown and to defer decision until a fifth member can participate be, and they hereby are, denied; and it is

FURTHER ORDERED that, pursuant to respondent's request for oral argument on the exceptions to the recommended decision in this proceeding, such argument will be heard by the Board on January 5, 1953, at 10 o'clock A. M. in Room 113, Lafayette Building, 811 Vermont Avenue, N. W., Washington 25, D. C.

By direction of the Board.

PETER CAMPBELL BROWN
Peter Campbell Brown
Chairman

Dated: December 23, 1952

* * * * * * * * * *

920 **Memorandum Opinion and Order of the Board**

On November 24, 1952, respondent filed various motions: to strike the recommended decision; to reopen the hearing; to disqualify Board Chairman Brown; and to defer decision until a fifth member can participate. We denied the last two motions by order dated December 23, 1952. In the same Order of the Board, we reserved decision on the motions to strike the recommended decision and to reopen the hearing pending oral argument on the exceptions to the recommended decision and a review by the Board of the record. Oral argument on the exceptions took place on January 7, 1953, and upon review of the entire record in this proceeding we now consider respondent's pending motions, which remain for decision.

We examine first the motion to strike the recommended decision, which contends that: (1) it does not fulfill the functions required of a recommended decision; (2) it rests on erroneous and illegal premises; (3) it was issued by a Panel of which both members are disqualified by reason of bias and prejudice and affidavits of bias and prejudice; and (4) its principal draftsman, the General Counsel of the Board, has exhibited bias and prejudice against respondent.

Grounds (3) and (4), which were incorporated in other motions by respondent, have previously been found by the Board to be without merit in its Orders dated December 4, 1951 and December 23, 1952. Concerning the remaining grounds, it is our opinion upon a review of the record in this proceeding that the recommended decision adequately fulfills its function. The Board's decision will constitute independent findings and conclusions on the issues in the proceeding upon full review of the entire record, including respondent's exceptions to the recommended
921 decision. Consequently, we need not discuss herein the "premises" on which the recommended decision rests.

We believe the motion to strike the recommended decision is without merit and should be denied.

We turn now to the motion to reopen the hearing for the following purposes asserted by respondent:

(1) In order to permit respondent to introduce evidence to prove: (a) that petitioner's witnesses, Mary Stalcup Markward, William Garfield Cummings, and Bereniece Baldwin, testified falsely and perjuriously in the proceedings herein in answering questions as to whether they had been paid for their services as informers and as to the amount of such payments; (b) that such false and perjurious testimony was known by the petitioner, the Attorney General of the United States, to be false and perjurious.

(2) In order to permit respondent to examine the named witnesses, and employees of the petitioner, to ascertain whether these witnesses had been instructed by petitioner or his agents to give false testimony in other respects as well, and whether they did so.

(3) In order to permit respondent to obtain, by subpoena or by order of the Panel, the records of the petitioner with regard to the amounts paid by or at the direction of petitioner to each of petitioner's witnesses.

Respondent supports this motion with an accompanying affidavit of John J. Abt, attorney for respondent in this proceeding, to which is attached a copy of a stipulation entered into between the Government and defendants in *United States* v. *Elizabeth Gurley Flynn, et al,* in the United States District Court for the Southern District of New York. Respondent also moves that the testimony of witnesses Baldwin, Cummings and Markward be stricken in the event the motion to reopen the hearing is denied.

Stated briefly, respondent asserts that petitioner's witnesses Cummings, Baldwin and Markward gave false testimony in this proceeding in testifying concerning whether they had been paid for their services as informants for the Government of the United States and as to the amount of such payments. In support of this assertion
respondent refers to the aforementioned stipulation
922 in which there is contained a yearly breakdown of
money paid to these three witnesses by the Government of the United States for "services" and "expenses" in supplying information concerning respondent's activities to the Government over a period of several years.

We have reviewed the testimony of these three witnesses in this proceeding in the light of the whole record and with due consideration to respondent's contentions and supporting documents. The testimony of witnesses Cummings and Baldwin cannot reasonably be said to be at variance with the information contained in the aforementioned stipulation.

As to the witness Markward, she stated on direct examination that she had received money from the Government in connection with her activities as an informant for the Federal Bureau of Investigation while performing as a functionary of respondent, but did not consider that she had been paid a salary by the Government. She stated that the money received was for the purpose of paying dues in the respondent organization, transportation to Washington, D. C. (from her home in Chesterbrook, Virginia), making contributions, buying literature, "that type of thing, and other incidental things". On cross-examination, she stated, in essence, that she received money from the Federal Bureau of Investigation in the form of reimbursement of expenses incurred in her activities on behalf of the Government over a period of several years; and that she did not recall the amounts received yearly.

The aforementioned stipulation contains the aggregate sum of $147 under the heading of "expenses" received by the witness Markward from the Government for the years 1943 to 1952, inclusive. It is apparent to the Board that her transportation from her home to Washington, D. C., where she performed as a functionary of respondent, at the allowed government rate of seven cents per mile would alone greatly exceed the sum of $147 over those years. This excludes consideration of other expenses she must have incurred in connection with her activities on behalf of the Government.

Consequently, it is readily seen that the figure of $147 under the heading "expenses" in the stipulation is not to be construed as being all-inclusive of the witness Markward's expenses when viewed in the context of
923 her testimony in this proceeding.

In any event, such variance as may appear on the face of the record between her testimony in this proceeding and the stipulation attached to respondent's motion is in no sense material to petitioner's case when her whole testimony, which is largely cumulative and corroborative of the testimony of other of petitioner's witnesses, is viewed in the light of the entire record. We conclude that a grant of respondent's motion would not affect the result of this proceeding. We also conclude that the pertinent portions of the testimony of the witness, when viewed in context, reveal no basis for respondent's charge of perjury. Respondent has made similar reckless charges against other of petitioner's witnesses throughout this proceeding.

It is readily apparent that respondent did not exercise due diligence in presenting these contentions to the Board. The witness made it clear from the outset of her testimony that she had received money from the Government while engaged in activities in its behalf. Yet, respondent did not attempt during the hearing to obtain the records of the Federal Bureau of Investigation with regard to payments to these witnesses as was done in *United States* v. *Elizabeth Gurley Flynn, et al,* wherein the aforementioned stipulation, upon which respondent now relies, was entered. Rather, respondent filed this motion to reopen the hearing almost five months after the testimony was concluded.

We therefore conclude that respondent's motion to reopen the hearing is without merit. *United States* v. *Marie L. Richardson,* U.S.D.C., D.C., Cr. No. 1645-51, January 16, 1953. We likewise find no adequate basis for granting respondent's alternative motion that the testimony of witnesses Baldwin, Cummings and Markward be stricken.

IT IS THEREFORE ORDERED that respondent's motions to strike the recommended decision, to reopen the hearing and to strike the testimony of the aforementioned witnesses be, and they hereby are, denied.

By direction of the Board.

PETER CAMPBELL BROWN
Peter Campbell Brown
Chairman

Dated: February 24, 1953
Washington, D. C.

1673

EXCERPTS FROM TESTIMONY AND PROCEEDINGS

Benjamin Gitlow

was called as a witness for and on behalf of the Government, and having been first duly sworn, was examined and testified as follows:

* * * * * * * * * *

1674 Direct Examination

By Mr. Paisley:

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1704 Q. During the time you were a member of the Executive Committee of the Communist Internationale and a member of its Presidium, were you a mem-
1705 ber of any other committees or organizations under the control of the Communist Internationale? A. Well, every Communist organization that I was a member of was controlled by the Communist Internationale.

Q. Well, did you hold any other office or position in any organization having its base of operations in Moscow? A. I did.

Q. What was that? A. That was the Red International of Trade Unions, known as the Profintern. I was a member of its Executive Committee in 1928 and 1929.

Q. And generally, what was the function of that organization? A. The function of that organization was to carry out, on a world scale, the trade union policies laid down by the Communist Internationale.

Q. Did you voluntarily resign from the Communist Party, or were you expelled, or just how did you happen to leave the Party? A. Well, I was expelled from the Communist Party in 1929 because of a difference with Joseph Stalin, on the question of the leadership of the American Communist Party.

Q. On how many occasions did you go to Moscow to confer with officials of the Communist Internationale? A. In 1927, in 1928 and in 1929.

Q. Have you had occasion, during that time to
1706 meet and talk with Joe Stalin? A. I had. I spoke
to Joe Stalin at length in 1927, and I had occasion to
meet with him in 1929.

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Q. Mr. Gitlow, my next questions are direct to the period of time, 1919 to 1929, and I ask you, first, to give the Board some idea as to the organizational structure of the Communist Party in the United States? A. The Communist Party in the United States was a Centralized Organization, ruled from the top down, and not from the bottom up.

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1721 Q. What power did the Communist Internationale have over the organization in the United States? A. The Communist Internationale had full power over the Communist Party of the United States.

Q. At all times during your membership? A. At all times during my connection with the Communist Party.

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1729 Q. I hand you a series of membership cards, Mr. Gitlow, in the Workers Party of America, for the year 1922 to 1924, 1925 and in the Workers Communist Party of America for 1926 and 1927.

1730 First, I will ask you to explain what was the difference, if any, between the Workers Party of America, and Workers Communist Party of America? A. I will explain it.

Q. Then, I ask you if you can identify those cards? A. At the end of 1919, beginning of 1920, the Communist Party of the United States went underground, and was an underground organization.

Right after the Communist Party went underground, the party decided to carry on legal activities through another organization, presumably not a Communist Party, and for that purpose, the Workers Party was organized.

The Workers Party was organized by the Underground Communist Party, as the legal expression of the Communist Party in the United States, and this decision was made with the approval of the Communist Internationale at the time.

When the Communist Party felt that the Party could emerge from its underground existence and assume a legal existence per se, then the Workers Party, as such, was merged with the Communist Party, and the Workers Party became the Communist Party, the only Communist Party organization in the United States.

Later on, in order to bring about the transition from the name "Workers Party," to Communist Party, the name was changed to include in the middle of the title, in
1731 parentheses "Communist Party." So you had the Workers Communist Party.

And then, the Workers Party, the "Workers" was thrown out, and the name "Communist Party" remained. But the "Workers Party" was always a Communist Party organization.

Q. Were the legal and illegal organizations in being at the same time? A. They were in being at the same time, and in the Communist Party, which was the Underground Communist Party, which dominated both organizations, they were designated as the No. 1 and the No. 2 party, and the Communist Party, the Underground Communist Party, controlled all the affairs of the Workers Communist Party.

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Q. Would you explain a little further, Mr. Gitlow, what you mean by legal and illegal party?

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1732 The Witness: In Communist phraseology, the "legal party" means the party which is permitted to operate openly and above board, without any underground organization and set up.

"Illegal party" is that Communist Party which is completely underground, and carries on its organization on an underground basis.

By Mr. Paisley:

Q. That is what you meant by the use of those terms? A. That is right.

Mr. LaFollette: Let me ask the witness: when you say "legal and illegal," you don't refer to any law of the Government of the United States, but you refer to a ruling of the Communist Party at the time about which you testified?

The Witness: Well, you require to have an understanding of the history concerning the Communist Party that brought this situation about.

The Communist Party went underground as a result of the activities of the Department of Justice through Attorney General Palmer at the time, in raiding all headquarters of the Communist Party, and in arresting a large number of Communist Party members and holding them for deportation.

1733 In addition to that, many state actions were pending against the Communist Party. You had state actions in the State of New York, Massachusetts, and also in the State of Illinois, and certain actions on the part of state authorities in other states, with the result that the Communist Party decided that it was impossible for the Communist Party to function openly, as an open organization.

The Communist Party therefore decided to go underground and in going underground they set up an organization which was built up on cadres of five, every party member had an alias, didn't operate under his own name, all the headquarters of the Communist Party were secret headquarters, were not public headquarters, and many of the activities of the Communist Party were conducted on that basis.

Now, the Communist Party felt that the Party couldn't operate legally at the time, so it took this underground position.

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Q. How did the membership in the two organizations compare?

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1734 The Witness: The overwhelming majority of the workers of the Workers Party were members of the Underground Communist Party. Every member of the Underground Communist Party became ipso facto a member of the open organization.

However, in the open organization were included members who were not members of the Underground Communist Party.

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1737 Q. Was it customary for each member to have a membership card like those? A. It was customary for each member of the Communist Party to have such a membership card, except those who were considered in the category of secret members of the Communist Party. They carried no cards.

Q. Did you have any secret members during the time you were in the Party? A. Yes, sir, we had a considerable number of secret members of the Communist Party.

1738 Q. Why were they secret members, and what do you mean by "secret members?" A. By "secret members," we considered those members of the Communist Party who for political or other reasons, it was felt to be advisable to keep their membership records unknown in the Communist Party, and to prevent a disclosure of their membership in the Communist Party, and we generally included in that category important civil servants in the Government, members of the Armed Forces, generally school teachers, and the Party members engaged in espionage and other illegal and confidential activities for the Communist Party and the Soviet Government.

Q. I believe you say you had occasion to go to Moscow for three years, 1927, 1928, and 1929? A. That is right.

Q. How did you travel, Mr. Gitlow? A. I traveled as a Canadian Citizen in 1927, as a Canadian citizen in 1928, and as a Canadian citizen in 1929.

Q. Under what name? A. Under the name of James Hay.

Q. Did you go alone? A. In 1927, I went with J. Lovestone. We made the trip together.

In 1928, I headed the delegation from the American
Communist Party to the Congress of the Red Inter-
1739 nationale of Trade Unions in Moscow. I was the
Chairman of the delegation, and I went with about
ten to fifteen others on the trip.

And in 1929, I headed the delegation of the American Communist Party that went to Moscow to appeal against Stalin's decision to change the leadership of the American Communist Party.

Q. Well now, do you know how those other individuals traveled? That is, on what kind of passports? A. Well, I know that J. Lovestone traveled also as a Canadian citizen, with a Canadian passport.

Others traveled on American passports, under assumed names and a couple traveled with legitimate passports that they had obtained.

Q. How did you folks get these passports? A. These Canadian passports?

Q. Yes, sir. A. We had, at the time, a set up in Montreal, Canada, an agency for that purpose, and it was centered in an export house, export-import house, in Montreal, that had very excellent connections with the passport bureau of the Canadian Government, and which also did work for the Soviet Union in that respect.

Q. Did you go through Canada in order to get over there? A. Yes, sir, we would go through Canada to make out the application in Canada.

Then the application was mailed to Ottawa, and
1740 then was mailed to us in New York and we used it
in New York to board ship for Europe and into the
Soviet Union.

Q. What would you do with the passport when you would get back to this country? What would happen to the passport then? A. Well, if we got back to this country, we kept the passport in our possession. But when we got into the Soviet Union the passport was turned over to what was known as the ORG Department of the Communist Internationale, which was the G.P.U. section of the Comintern at the Comintern headquarters, and we were issued Russian papers to facilitate our stay in Russia.

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1747 Q. Now, while you were over in Moscow, can you
give us the names of other officials of the Communist Party of the United States who were there on official business? A. Well, there was William Z. Foster, who was there on very many occasions.

J. Lovestone on many occasions.

James V. Cannon, an official of the Communist Party, was there.

Earl Browder was there.

Harrison George.

H. M. Wicks.

J. Louie Engdahl, and very many others.

Q. How many of those that you now name are still alive,
so far as you know? A. Well, Harrison George is
1748 alive, Earl Browder is alive, William Z. Foster is
alive—there are many who are still alive and in the
Party, who were officially delegated to go to Moscow to take up the affairs of the Communist Party.

Q. Is that the same William Z. Foster who is now the head of the Communist Party of America? A. It is the same William Z. Foster.

Mr. LaFollette: Was that the same Earl Browder who is or is not a member of the Party?

The Witness: The same Earl Browder.

Mr. LaFollette: You don't know whether he is a member of the party or not?

The Witness: At the present time he is expelled from the Party so I presume he is not a member of the party.

By Mr. Paisley:

Q. Do you remember approximately when he was expelled? A. He was expelled several years ago.

Q. Pardon me? A. He was expelled several years ago, after the conclusion of World War II.

Q. What power, if any, did the Communist Internationale exert over the Communist Party Conventions in the United States? A. The power of the Communist Internationale over the Conventions of the Communist Party was the following.

First, no Convention of the Communist Party of the United States could be held without the approval of
1749 the Communist Party.

Second, the Communist Internationale prepared the main political resolution which was introduced to the Convention of the Communist Party in the United States for its adoption.

Third, the Communist Internationale sent its own representatives to the Conventions of the American Communist Party, with power to see to it that the Communist Party of the United States, in its conventions and policies, carried out the directives of the Communist Internationale.

Q. During the time you were in the movement, approximately how many representatives did the Communist Internationale send over here? A. Well—

Q. For that purpose. A. Well, I could start trying to catalog them.

Q. Well, I wasn't asking for names, but just approximately how many, at this time? A. I would say close to 20 representatives of the Communist Internationale were sent to the American Communist Party Conventions.

Mr. LaFollette: Do I understand this is to each Convention, or the total. A. The total over a period of years.

By Mr. Paisley:

1750 Q. What power would that representative have at the Convention? A. The representative to a Convention of the Communist Party had extraordinary powers over the Convention and over the Communist Party.

In addition to that, the minute he landed in the United States, he became a voting member of all committees of the Communist Party of the United States, all its leading committees, that includes the Central Executive Committee, the Political Committee, and the Secretariat of the Communist Party.

Q. Do you know what would happen to one of your leaders of the American Party if you opposed his policies? A. Well, if we opposed his policies, then it would be subject to review by the Communist Internationale, and we would find ourselves expelled from the Communist party.

Q. Now, between Conventions, what power if any did the Communist Internationale exert over the Communist party in the United States? A. It exerted tremendous power over the Communist Party of the United States. It determined its main political line, because the Communist Party always carried out the political line of the Communist Internationale, and the line of the American Communist Party was always changed to conform with the changing line of the Communist Internationale.

It determined, to a very great extent, the top
1751 leadership of the Communist Party of the United
States. It exerted power over the Communist Party
of the United States through the subsidies which it made
available to the Communist Party of the United States.

It also exerted great power over the Communist Party, due to the fact that the Communist Party had representatives in Moscow, with the Communist Internationale, so that the Communist Internationale could directly instruct the American Party, through the American Party representatives in Moscow, and then it sent its own representatives, with power, to the United States to see that its decisions were carried out.

Q. Did the Communist Party in the United States have a representative or representatives in Moscow, continually? A. The Communist Party was never without direct representation at the Communist Internationale.

Q. In formulating and carrying out the policies and programs of the Communist Party in the United States during the time of your leadership, were you leaders concerned with the interests of the United States, the people of the United States, or did the aims and purposes of the Communist Internationale take precedent? A. The aims and purposes of the Communist Internationale and the Soviet Government, took precedence over the interests of the people of the United States.

Q. Just what was the fundamental aim and pur-
1752 pose of the Communist Party in the United States?
A. The aim and purpose of the Communist Party of the United States was:

1. To defend the Soviet Union as the fatherland of the working class all over the world.

2. To carry out the orders and the directives of the Communist Internationale.

3. To work for the undermining of the foundations of the American Government in order to make it possible for the Communists to over-throw our form of Government and set up in its place a dictatorship patterned after the dictatorship that rules in Russia today.

Q. Did you learn what the fundamental aim and purpose of the Communist Internationale was? A. Yes, surely.

Q. And what was that? A. The aims and purposes of the Communist Internationale were, the conquest of the world for Communists.

Q. And who made up the membership of the Communist Internationale? A. The membership of the Communist Internationale was made up of the various sections of the Communist Internationale.

Every Communists Party of the World was represented in the Communists Internationale, and the Communist Internationale Executive consisted of the representatives of the most prominent parties in the Communist Internationale. 1753

The party that dominated the Communist Internationale was the Communist party of the Soviet Union. Every other Communist party was duty-bound to carry out the decisions of the Communist Internationale. There was no permission given to any communist party to oppose the decisions of the Communist Internationale, made through its Executive Committee.

The only Communist party that was permitted the privilege of opposing the decisions of the Executive Committee of the Soviet Union, and the decisions of the Communist Party of the Soviet Union became binding on the Executive Committee of the Communist Internationale.

Q. Were delegates sent over by the Communist Party of the United States to the Communist Internationale? A. Oh, yes, sir, sure.

Q. What methods did the party in the United States employ in carrying out the aims and purposes which you have just described? A. Well, to state them concisely and briefly, as possible: general propaganda, through the publication of newspapers, pamphlets, books, literature, and so forth, through the building up of the party organization, the recruiting of members into the Communist Party, and enlarging and developing and making the Communist organization more efficient, by infiltration of other organizations in an effort to capture the membership of these organizations so that they would be under Communist influence—so you have the trade union activities of the Communist Party, carried on for the pur- 1754 pose of infiltrating the trade unions and bringing the trade unions under the hegemony and domination of the Communist Party—the same with all other organizations, the infiltration of our Government, our schools, of our colleges, as a cultural front, the carrying on of all kinds of movements, engineered and initiated by the Communist Party but not conducted under the name of the Communist Party for the purpose of reaching great masses of people who would not fall for such movement if they thought, or had any suspicion, that the movements were initiated and directed and controlled by the Communist Party, and the gathering of funds for that purpose, also connections with the Communist Internationale were of great value and help to the Communist Party in carrying on its activities in this country, as well as in its connections with the Soviet Government, and the resulting benefits that accrued to the Communist party through such relationships.

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1765 Q. Did the two Parties which were originally
formed, Communist Parties, that is, back there in
1919, accept the 21 points of Communist Internationale?
A. They accepted the 21 points without reservation, and
were accepted into the Communist Internationale organization.

Q. Did the Communist Party in the United States ever have any representatives on the Executive Committee of the Communist Internationale? A. They did.

Q. Do you know who they were, during their period?
A. Well, I can give you off hand a few of the members,
I don't remember all of them: William Z. Foster
1766 was a member of the Executive, Charles E. Ruthen-
berg was a member of the Executive, I was a member of the Executive at one time, I think Earl Browder was a member of the Executive—there were a few others. I cannot recall their names at this time.

Q. What were the functions and the powers of the Executive Committee of the Communist Internationale? A. The functions of the Executive Committee of the Communist Internationale were to supervise and direct the superstructure of the world Communist organizations, and to see that the various sections of the Communist Internationale carried out the orders and decisions and policies of the Communist Internationale.

Q. Was there any power in the International Communist movement over the decisions of the ECCI? A. There was.

Q. What was that? A. The Political Committee of the Communist Party of the Soviet Union had power over the Executive Committee of the Communist Internationale.

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1767 Q. Who were eligible for membership on this Committee? A. You mean who was eligible for membership on the Political Bureau of the Communist Party of the Soviet Union?

Q. Yes. A. Only members of the Communist Party of the Soviet Union.

Q. How did they exercise this control over the Communist Internationale? A. They exercised this control over the Communist Internationale because the Communist Party of the Soviet Union, directly through the Soviet Government, because of the system of collections, supported and financed the work of the Communist Internationale.

Q. What was the relation between the Communist Party of the Soviet Union and the Government of the Soviet Union? A. The Communist Party of the Soviet Union is synonymous with the Government of the Soviet Union.

In fact, the Communist Party of the Soviet Union supersedes the Government of the Soviet Union because
1768 all decisions, important decisions, determining the
affairs of the Soviet Government, are first made in the Communist Party, and the organs of state are merely rubber stamps for the decisions of the Communist Party of the Soviet Union.

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Q. Did the sections of the Communist Internationale, to your knowledge, Mr. Gitlow, contribute any financial support to the organization? A. Not one penny to the financial support of the Communist Internationale.

All the money which supported the work of the
1769 Communist Internationale came from the Soviet
Union.

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1775 Q. Have you formed any conclusion, Mr. Gitlow,
as to whether or not activities of the Party in this
country were controlled by the Communist Internationale?

Mr. LaFollette: And the facts upon which you predicate your conclusion.

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1776 The Witness: I think that the outstanding facts
in the history of the Communist Party in the United States during the period when I was a member and leader of that Party, will indicate that the Communist Party of the United States was dominated completely by the Soviet Union, and I will refer only to major policies in this respect, which bear out this contention.

For example, the trade union policy of the United States. The trade union policy of the United States has shifted from independent trade-unionism, outside of the American Federation of Labor, to working within the American Federation of Labor. When this policy was changed in Moscow, it shifted from that of the organization of Communist, independent unions, in this country. The political factors that were changed: the Communist support of the
formation of the labor party in the United States,
1777 first approved by the Communist Internationale, and
the Communist Internationale changed that policy,
and that policy was changed and the Communist Party went into the organization of an independent ticket.

That later was changed again to a decision by the Communist Internationale directing the Communist Party of the United States to work for the formation of a farmer-labor party in this country.

Matters concerning the Daily Worker: the organization of the Daily Worker, the supplying of a fund of $35,000 by the Communist Party—

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1779 The Witness: The Labor Party decision was made in 1924, and in the fall of 1924, just before the elections, the Communist Party had already succeeded in organizing a farmer-labor party, had secured the nomination of two candidates, one for president and vice president, when we got instructions from the Communist Internationale to give up the labor party, to discontinue the campaign, and to go into the elections on the ticket of the Communist Party.

That was done. Foster was nominated for president and I was nominated for vice president, as a result of that decision.

After that campaign was over, the matter was again reviewed by the Communist Internationale and the Communist Party of the United States was directed to begin a general agitation for the formation of a Farmer-Labor Party in this country.

In 1924, the Daily Worker was established, in the City of Chicago. We received from the Communist Internationale a sum of 35 thousand dollars to make that possible, plus a telegram and cable of greetings from the Communist Internationale on the formation of a daily Communist paper in the United States.

The trade union policies of the Communist Party, the formation of the Trades Union Educational League, in 1922, as an instrument for the infiltration of the trades unions—that policy of the A.F. of L. and existing legitimate unions, that was abandoned, in the year 1928,
1780 because the Trades Union Policy of the Soviet Union had shifted in the other direction, and so that policy was shifted for the United States also.

By Mr. Paisley:

Q. You have given us now instances— A. That is right I am compiling these instances all along the line.

Then the constitution of the leadership of the Communist Party of the United States. At the Convention of the Communist Party in 1925, Foster had a majority of the delegates to the Communist Party of the Convention.

We had, as a representative to the American Communist Party from the Communist Internationale, one Gusev, who operated in the United States under the name of Abe Pepper—not Pepper, his name was Green, excuse me, P. Green. Pepper was another representative—and Green was instrumental in enforcing the decision of the Communist Internationale that Foster accept a division of the Central Executive Committee on a fifty-fifty basis, the Foster group 50 per cent of the delegates to the Central Executive Committee, and Ruthenberg, 50 per cent, and then, P. Green, the representative of the Communist Internationale to the American Communist Party, sat in at the first meeting of the Central Executive Committee. They constituted the Political Bureau, the officers of the Party, on the basis of a majority established in the Central Committee by the membership of P. Green, which gave
1781 the majority of the Party over to the minority leadership of the Party at that time.

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1785 Q. Mr. Gitlow, you have been giving us some instances of the domination and control by the Communist Internationale of the Communist Party in the United States.

Now to get at the matter in another way, during your experience, do you know of any instance when a directive from the Communist Internationale was disobeyed by the Communist Party of the United States? A. I know of no instance where the Party as such disobeyed a directive of the Communist Party.

I know where a decision was made to appeal against such a directive and what happened afterwards.

Q. On how many occasions was there an appeal? A. The appeal?

Q. Yes. A. The appeal I referred to was in 1929,
1786 in which I headed the delegation and appealed against the decision of the Communist Internationale.

Q. Try to keep your voice up, Mr. Gitlow. A. Yes, sir.

Q. That was the appeal which your faction of the Party took prior to your expulsion? A. That is right.

Q. Do you know of any other where a directive from Moscow was disobeyed? A. I know of no directive from Moscow that was disobeyed by the Communist Party in the United States.

Q. How often and to what extent did the Communist Party in this country receive directives from Moscow? A. They received many, many directives from Moscow on all kinds of matters. They were continually arriving at the headquarters of the Communist Party.

Q. Now when your Committees, your Executive Committee, of the Communist Party in the United States, would meet, and your Political Committee, and the Secretariat, was it necessary to keep and send to Moscow, minutes of the meetings? A. The procedure was that minutes of the meetings were taken down, and minutes forwarded to Moscow, of all meetings of the Central Executive Committee and Political Committee.

In addition, reports were sent to Moscow by the
1787 various departments of the National Office of the Communist Party.

In addition to that, there were individual reports and letters sent to the Communist International by the leaders of the Communist Party.

Q. Now you told us about the aims and purposes of the Communist International.

Did they change in any substantial way during the time of your membership? A. The fundamental aims of the Communist Party, and the fundamental position of the Communist Party was never changed, and was never changed so far as the Communist International was concerned, also.

That is, the basic principles, which they call Stalinism and Leninism. They have remained, actually, permanent for the World Communism Movement.

Q. And just what do Stalinism and Leninism mean? A. Those are the fundamental principles and policies and tactics for the conquest of the entire world for Communism.

Q. Did you ever hear the expression "Marxism," "Leninism?" A. I did.

Q. What did the Party teach was the meaning of that? A. Well, the Communists have held that their position is based on the position of Marx, on his economic political position.

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1807 One, the official Party delegations—Communist Party delegations that went to Russia. They started immediately with the formation of the Communist Party in the United States.

For example, John Reed was one of the first delegates of the Communist Labor Party to go to Russia to represent that party.

Louis C. Fraina and Isaac Horowitz were delegates—not Isaac, Nicholas Horowitz—were two of the delegates from the Communist Party. I remember there were two Communist Parties formed in 1919 that went to Moscow, and ever since then, there wasn't a year in which official Party delegates did not make trips to Moscow.

In addition to that, there were special delegations that went to Moscow. The most notable one was the Trades Union Delegation that went to Moscow in 1928.

Q. Approximately how many individual were included in the delegation? A. Well, I would not know the exact number, but I think there were somewhere in the neighborhood of ten—maybe one less or a couple more.

Q. Do you know who sponsored the movement? A. I know who sponsored the movement and how it was organized.

Q. Will you tell us?

Mr. LaFollette: Excuse me, is this the Trades
1808 Union Delegation you are speaking of?

Mr. Paisley: Yes, sir.

The Witness: Yes, sir, the Trades Union Delegation to Moscow. The decision was made to organize such a delegation to be sent to the Soviet Union by the Executive Committee of the Comintern, and the funds for the same were supplied, the organization funds, for getting such a delegation organized, were supplied by the Communist Internationale, and then a labor leader of the British Trades Union Movement was sent to this country, and he was paid his expenses for making the tour of the United States in order to build up sentiment for the organization of such a Trades Union Delegation to go to Moscow, was supplied by the Communist Internationale, and he was paid for the job he did in this country.

The Communist Party organized all the details of the campaign that ensued, and as a result of that, a delegation was organized, and this delegation went to Moscow, and its affairs were manipulated by the Communist Party and a man put in charge as the Secretary of the Trades Union Delegation, who eventually wrote the report for that delegation, was a Secretary-Member of the Communist Party.

1809 Mr. LaFollette: Communist Party of the United States?

The Witness: Yes, sir. The report was written up and submitted to the Political Committee of the American Communist Party, and when it met with its approval, it was printed. It was printed through funds supplied by the Communist Internationale.

That was the trades union delegation that went to the Soviet Union.

Then, of course, there were the various delegations, any number of them, that were organized, and also a campaign was put on for this purpose by the Communist Internationale, and supported with the funds of the Russian Government, for the Russian Government wanted to make a tremendous celebration at its tenth anniversary, and so all kinds of delegations were organized in the United States to go to the Soviet Union in 1927 to participate in that celebration, all with the express purpose to utilize the trips of these delegations on the one hand to present a glowing picture of Communism in action in the Soviet Union, and on the other hand, to bolster up Communist propaganda and activities in the United States.

By Mr. Paisley:

Q. How did you gain your knowledge as to these matters? A. I happened to be a member of the Political Bureau of the Communist Party of the United States, and I
1810 was present in Moscow in 1927 when we discussed these matters at the headquarters of the Communist Internationale.

Q. Were these trade union delegations and other delegations you mentioned, matters that were discussed in the Political Committee from time to time? A. Oh, yes, sir, and they were very elaborately discussed in the meetings of the Political Bureau.

Q. Were these trade union delegates that were sent over there at the expense of the Communist Internationale, members of the Parties themselves? A. No, they were not. I think they were not. I don't recall the list, but I think the individual trade union members who went over with the delegation were not members of the Communist Party.

However, the technical staff which surrounded the delegation was made up of Communist Party members.

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Then, of course, there were the various delegations, any number of them, that were organized, and also a campaign was put on for this purpose by the Communist Internationale, and supported with the funds of the Russian Government, for the Russian Government wanted to make a tremendous celebration at its tenth anniversary, and so all kinds of delegations were organized in the United States to go to the Soviet Union in 1927 to participate in that celebration, all with the express purpose to utilize the trips of these delegations on the one hand to present a glowing picture of Communism in action in the Soviet Union, and on the other hand, to bolster up Communist propaganda and activities in the United States.

By Mr. Paisley:

Q. How did you gain your knowledge as to these matters? A. I happened to be a member of the Political Bureau of the Communist Party of the United States, and I 1810 was present in Moscow in 1927 when we discussed these matters at the headquarters of the Communist Internationale.

Q. Were these trade union delegations and other delegations you mentioned, matters that were discussed in the Political Committee from time to time? A. Oh, yes, sir, and they were very elaborately discussed in the meetings of the Political Bureau.

Q. Were these trade union delegates that were sent over there at the expense of the Communist Internationale, members of the Parties themselves? A. No, they were not. I think they were not. I don't recall the list, but I think the individual trade union members who went over with the delegation were not members of the Communist Party.

However, the technical staff which surrounded the delegation was made up of Communist Party members.

Q. Who was it that wrote up this report that you say was a secret member of the Party? A. Robert W. Dunn.

Q. How do you spell Dunn? A. I am not sure.

Mr. LaFollette: Is there an "e" on the end of the name?

The Witness: I am not sure now.

By Mr. Paisley:

1811 Q. Where is he now? A. I presume he is still doing the things he did before.

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1813 Q. Do you know whether or not, Mr. Gitlow, the Soviet Union maintained in this country any members of their OGPU? A. Yes, sir.

Q. How do you know? A. I know because we had relations with members of the OGPU through the Secretariat of the Communist Party of the United States, in this country, and also when I was a delegate to the Communist Internationale, we met with members of the OGPU who were assigned to duty in the United States.

Q. You mean you met them over there, in Russia? A. That is correct.

Q. Who were some of these agents? A. Well, the most active one in his relations with the Communist
1814 Party, who acted as a liaison between the Communist Party—as a liaison officer of the OGPU with the Communist Party, was Dozenberg.

Q. What was his first name? A. Nicholas Dozenberg. He was originally a member of the Communist Party, and he was in charge of the confidential work of the organization department of the Communist Party before he was assigned to the OGPU.

Q. Who assigned him to the OGPU? A. The Secretariat of the Party assigned him to the OGPU, and I was a member of the Secretariat at the time.

So he was disconnected from all party organization and assigned to the OGPU.. That was in the year 1927, and he met continuously with members of the Secretariat on OGPU matters, and the Secretariat was instrumental in obtaining for Nicholas Dozenberg, for the use of the OGPU banking references, recommendations, from legitimate business organizations, and so forth, and from time to time Nicholas Dozenberg would take up specific matters with the Secretariat of the Communist Party of the United States.

Q. Was he known as a member of the Communist Party? A. He ceased to become known as a member of the Communist Party when he was assigned to the OGPU.

1815 Q. What was the function of the OGPU in this country? What was its purpose? A. The function of the OGPU in this country was to gather military and industrial information, and anything which the Soviet Government thought would be of value and interest to the Soviet Union.

Q. Gathered for what purpose? A. For the purpose of having the knowledge which would bolster up the position of the Soviet Union, primarily in international affairs.

Q. Then, it was passed on, I take it, to the Soviet Union? A. That is right.

Q. Now, when you were in Moscow, did you ever see any of the results of the activities of the OGPU in this country? A. Well, I saw quite a bit of it in the Communist Internationale, where the various reports dealing with the Communist Party, and its activities, which were gathered by the OGPU, were kept on file in the Communist Internationale.

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1823 Q. Well, now, you mentioned the name Scott, did you mean Johnson? A. That was his alias—Scott.

Mr. LaFollette: Scott and Johnson are the same man?

The Witness: The same man.

By Mr. Paisley:

Q. Were there any other agents of the OGPU with whom you came in contact in your activities as a communist leader in this country? A. Yes, sir, there were other agents.

Q. Could you now recall any of their names? A. I can't recall their names. I know them by their first names only—that is, I knew them by their first names only.

Q. Could your memory be refreshed, do you think, if I were to recall some of the names? A. It might. I wouldn't vouch for it.

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1824 Q. Did you ever know a man by the name of Dirba? A. Yes, I knew a man by the name of Charles Dirba.

Q. Was he a member of the Communist Party? A. He was a charter member of the Communist Party; originally also a member of the Lettish Club.

Q. Did he ever become active as an OGPU agent, to your knowledge? A. He took over the job in the National Headquarters of the Communist Party that Nick Dozenberg had. Whether he followed in the footsteps of Nick Dozenberg, I am not in a position to say.

Q. Now, do you know an organization known as the Amtorg? A. I do.

What do you know about the Amtorg? A. Amtorg was the trading corporation in the United States of the Soviet Government.

1825 Q. When was it organized? When did it become active in this country, if you know? A. I think it was organized—well I am not quite sure; but I think in the early Twenties, I think around 1924.

Q. Did the Communist Party of the United States have any contact or relations with that organization? A. It did.

Q. Will you detail the relationship and the circumstances? A. Well, the Secretariat dealt from time to time with the heads of the Amtorg on certain political questions that the Amtorg was interested in—notably on the question of obtaining the recognition of the Soviet Union by the United States Government.

They were very much interested in that.

Also, the Amtorg cleared with the Communist Party of the United States the American personnel it hired, to determine whether or not they could be trusted to work in the Amtorg.

Third, a large number of members of the Communist Party worked in the Amtorg, and those members of the Communist Party who worked in the Amtorg were formed into a special group

The head of that group, at the time I was in the Party, was a Communist Party member by the name of Cooper, and this group kicked back part of its wages into the
1826 Treasury of the Communist Party.

Then the Amtorg supported the Communist Party Press, by putting advertisements, particularly, in the Foreign language newspapers of the Communist Party for which they paid in excess of the advertising rates for such advertisements.

Furthermore, the Amtorg made it possible for the Communist Party School of Business Relations, in what it was doing to realize monies financially from insurance and other activities.

In addition to that, the Amtorg sought the assistance of the Communist Party whenever technical delegations came to this country to attach Communist Party members to these delegations as translators, and so forth, who would be tied in with the OGPU representative that traveled with these delegations for information purposes.

Q. Did the officials of Amtorg from time to time meet with the Executive Committee or the Secretariat of the Communist Party? A. No, they met with members of the Secretariat; they never met at Party Headquarters.

Q. Was that frequent or otherwise? A. Yes, it was sometimes quite frequent.

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1892 Q. Mr. Gitlow, were these 21 conditions for admission to the Communist Internationale ever changed? A. During my connection with the Communist Party and with the Communist Internationale, they were never changed, or removed. They were always enforced.

Q. What use was made of the theses and statutes and the 21 points, during the time of your membership, after this convention, the Second Convention? A. They were used in two directions, mainly.

One, to educate the membership in the theses and statutes of the Communist Internationale, and the directives contained in the theses and statutes of the Communist Internationale were implemented by the Communist Party, and the necessary organizational and other steps were taken to comply with the theses and statutes of the Communist Internationale.

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1916 Q. Did the Communist International urge the organization that put out Exhibit 11 to unite with the United Communist Party? A. They always urged them, and the final decision for their members to unite with the Communist Party was carried out at the Richmond Convention in 1924.

Mr. LaFollette: Richmond, Virginia.

The Witness: No, Bridgeman, Michigan.

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1966 Q. And who was this representative of the Communist Internationale? A. The representative of the Communist Internationale to the American Communist Party at the time was Gussev, a member also of the Communist Party of the Soviet Union, and a member of the Control Committee of the Communist Party of the Soviet Union and considered a military expert by the Red Army.

Q. What was this Control Commission of the Soviet Union? A. The Control Committee of the Communist Party of the Soviet Union is that committee which deals

with matters of discipline or misconduct on the part
1967 of members and leaders of the Communist Party of
the Soviet Union.

Q. Is that spelled G-u-s-s-e-v? A. That is right.

Q. And did he use an alias? A. Yes, sir, he used an alias in this country. His alias was P. Green.

Q. I see the name P. Green at the head of the following list of names, there, on page 165. William Z. Foster, J. Cannon, Alec Bittleman, C. E. Ruthenberg, Max Bedacht, J. Lovestone. Is that the same individual about whom you have been testifying? A. That is right.

Q. Is there any significance to the fact that Green's name is set off to the right, from these others? A. Well, that is to indicate that he was the head of the Committee.

Q. How many of those men listed are still active in the Communist Party in this Country, if you know? A. William Z. Foster is the Chairman of the Communist Party of the United States.

J. P. Cannon leads the Trotzkyist group in America.

Alexander Bittleman is a leader of the present Communist Party.

C. E. Ruthenberg is dead.

Bedacht was recently expelled from the Com-
1968 munist Party.

J. Lovestone is out of the Communist Party.

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2000 Q. Now, the question was, do you know what was
meant by the use of the words, "Marxism and Leninism?" A. I do.

Q. What does it mean? A. The meaning of the phrase was the following:

As far as the economic social and political ideas of Marx were concerned, they were accepted. They were elaborated in the process of a violent revolution by Lenin, who worked out the tactics for revolutionary struggles, and Leninism categorically stands for the use of violence and force in attaining the objectives of the Communist Party or the Communist Internationale.

Q. Which objectives are? A. Which objectives are the forceful overthrow of existing Governments which are not Communist Governments, their complete destruction, and replacing them with a Communist form of Government
known as the dictatorship of the proletariat, in which
2001 only one party is permitted to operate, the Communist Party.

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2008 Mr. LaFollette: This man's name was Pepper?

The Witness: Yes, sir.

Mr. LaFollette: What was the alias?

The Witness: The alias was Pepper. His real name was Joseph Pogany.

Mr. LaFollette: And you knew him from 1922 to 1929?

The Witness: That is right.

Mr. LaFollette: And he came here from where? From the Soviet Union?

The Witness: He was sent here with a delegation of three representatives from the Communist Internationale, to the Communist Party of America.

The meeting of the Committee to which the delegation reported and presented their credentials, was held in my home, on Greenwich Avenue, New York City. I was present at that meeting of the Central Executive Committee at which the credentials were presented.

So I knew that he came as a representative of the Communist Internationale, together with Waletsky and one other man who originally lived in Buffalo whose name I can't recall at the present time. The other two representatives of the Communist Internationale, after the Bridgeman Convention, returned to Moscow. John Pepper was
assigned for work in the American Party. He be-
2009 came a member of the Central Executive Committee,
and a member of its Political Committee, and was one of the active, top leaders of the Communist Party of

the United States, and he finally was recalled to Moscow in the year 1929 and never returned again to this country.

And I met him in Moscow in 1929, also.

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2027 Q. I hand you what purports to be a pamphlet entitled, "The Communist Manifesto."

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2037 Q. Now the question, Mr. Gitlow, is do you know what use the Communist Party, while you were one of its leaders, made of that document? A. The Communist Party made wide use of that document in educating its membership in the principles and tactics of the Communist Party, and it was taught in the workers school and the Communist Party made its own interpretation of The Communist Manifesto.

Q. Was it ever repudiated by any document which you ever saw? A. Never.

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2092 Q. Mr. Gitlow, I hand you a document, a photostat of which has been marked petitioner's exhibit 39 for identification, and ask you if you are familiar with that document?

(The above-referred to document was marked for identification as Petitioner's Exhibit No. 39.)

A. Yes, sir. I am familiar with this document.

Q. Will you tell us what it is, if you know? A. It is a report to the Communist Internationale by William Z. Foster and Alexander Bittelman.

Q. Made where? A. This report was presented to the Comintern in Moscow.

Q. Do you know whether or not it was prepared in Moscow? A. That, I couldn't tell you.

Q. I call your attention to the last page. I notice it appears to be dated in Moscow. A. I noticed that, but I couldn't tell you whether it was prepared in Moscow.

Q. How did it come into your possession? A. I got this from the archives of the Communist Internationale, in 1927.

Q. And what did you subsequently do with it? A. I turned it over with the rest of my files. It was included in my files, that went to the FBI.

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2123 Q. To what extent did you leaders of the Party in the United States undertake to conform to the dictates of the Cominform as to the editorial policy of the Daily Worker?

Mr. Abt: Objection to the Cominform, Mr. Chairman.

Mr. Paisley: I mean Communist Internationale.

Mr. LaFollette: The objection is as to the form of the question.

Mr. Abt: That is right.

Mr. LaFollette: Well, may I add, if any; the witness may proceed. The objection is overruled.

A. Well, the leaders of the Communist Party were very alert in seeing to it that the policy of the Communist press conformed with the line of the Communist Internationale.

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2125 Q. What was customary, if there was a custom, as to the fixing of the rates of your Party Conventions, in this country? A. Before a Convention of the Party could take place, permission for the holding of the same had to be secured first from the Communist Internationale.

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Q. Now, was it customary for the Secretaries of the Party to be elected at the Conventions over here? A. All top officers of the Communist Party that were elected at Conventions were subject to the approval of the Communist Internationale, and this was a decision on how the top leaders of the Communist Party in the United States should
2126 act before the holding of the National Convention.
In the period between the making of this decision on the American Question and the holding of the Convention

later on, in 1927, in that period Lovestone and Foster were designated by the Communist Internationale to act as the Secretaries of the Party, and Foster and Gitlow, as the Trade Union Secretaries of the Party.

Q. Did this decision of the Communist Internationale effect any change in the offices? A. Insofar as they removed the function of one general Secretary, and one Trade Union Secretary.

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2157 Q. Do you know whether or not the C. I. representative did come to the United States after that? A. He did.

Q. Do you know who he was? A. He was Gusev, alias P. Green.

Q. And was this Parity Commission formed? A. It was.

Q. Is that the same Parity Commission about which he had some other testimony or which was referred to in some other exhibit, introduced last week? A. It is.

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2158 Q. Can you identify that document? A. I can.

Q. Will you tell the Board just what it is? A. These are the minutes of the Executive Council of the Workers Party dealing with the agreement reached in Moscow for the organization of the International Relief, and as a result of that agreement the Executive Council considered the formation of the International Labor Defense in this country and selected a slate of the International Labor Defense, consisting of the Party people on the committee, who had an overwhelming majority, and the non—so-called non-Party people on the International Labor Defense, National Committee.

But among the non-Party people there were a number of
secret members of the Communist Party. Robert W.
2159 Dunne at the time was a member of the Communist
Party. Bishop M. Brown was a member of the
Party; Meitzen was a member of the Communist Party

and Ralph Chapman was also a member of the Communist Party and they are indicated in the minutes as non-Party members.

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2187 Q. I believe you heretofore testified that copies of the minutes went to the Communist International in Moscow? A. They did.

Q. I direct your attention to the bottom of page 3 of Exhibit 52, which indicates that Comrade Green took part in this particular meeting.

Do you know who Comrade Green was? A. Yes, that was P. Green, the alias for Gusev, representative of the Communist International to the American Communist Party.

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2206 Q. Mr. Gitlow, did you folks have any policy with
reference to the matter? A. We did have a policy
in reference to the International Ladies Garment
2207 Workers Union.

Q. What was it? What was your policy? A. The policy was to compare the policies of the Administration with policies put forward by the Communist Party, and to utilize that difference in an attempt to win control over the International Ladies Garment Workers Union.

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2216 Q. Mr. Gitlow, I hand you another set of minutes
of the Politburo of October 19, 1925, a photostat of
2217 which has been marked Petitioner's Exhibit 58.

(The document was marked Petitioner's Exhibit 58 for identification.)

By Mr. Paisley:

Q. How did that come into your possession? A. In the same way that the other copy of the minutes came into my possession.

Q. Did you make the same disposition of it? A. I did.

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2218 Q. I call your attention to the bottom of page 2 of that exhibit, Mr. Gitlow, the Young Workers League. I note the words "YCI" there. Do you know what that stands for? A. Young Communist International.

Q. Did it have anything to do with the Young Workers League? A. The Young Workers League was a section of the Young Communist International.

Q. Did the Young Communist International undertake in any way, to your knowledge, to control the activities of the Young Workers League in this country? A. It did.

Q. To what extent? A. To exactly the same extent that the Communist International controlled the affairs of the Communist Party of the United States.

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2219 Q. Mr. Gitlow, how did you gain your information? A. Because the affairs of the Young Communist League were supervised by the Communist Party of the United States, and the communications that came from the Young Communist International were reported to the leading committees of the Communist Party of the United States, and the Young Communist International sent delegates to the Young Communist League of the United States, and those delegates had to present their credentials not only to the Young Communist League, but also to the Communist Party of the United States, and the representatives of the Young Communist International to the Young Communist League of the United States sat in at meetings of the leading committees, including the Politburo, of the Communist Party of the United States.

Q. Did the Young Communist International communicate from time to time with this Young Workers League over here? A. It communicated continuously with the Young Workers League in the United States.

Q. And did replies go back? A. Yes, sir, replies went back.

Q. How did they go, back and forth, do you know? A. They went through letter, through courier, through representatives, and through cables.

Q. Did they go direct to this youth organization, or otherwise? A. It depended upon the nature of the communication, how it was shipped from Moscow here.

2220 In addition to that, the Young Communist League sent representatives to the Young Communist International in Moscow who represented directly in Moscow the Young Communist League.

Mr. LaFollette: Did the Communist Party of the United States choose those members, or did they go direct?

The Witness: Those members were chosen with the approval of the Communist Party of the United States.

Mr. LaFollette: And the communications that came, do you know, did they go direct or did they come through the Communist Party of the United States?

The Witness: Well, they went direct to the contacts established for the Young Communist League in the United States, but were reported to the Communist Party in the United States.

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2238 Q. I call your attention to page 3 of these minutes, under the subject "Scandanavian Bureau."

Who is the Comrade Petersen mentioned in connection with that matter. A. Comrade Petersen was a man who was sent over to the Communist Party of the United States by the Executive Committee of the Communist International to assist the party in its organization, reorganizational and organizational activities.

Mr. LaFollette: Was that an alias, or was that his name?

The Witness: He was a Scandanavian by birth. I don't know what his real name was.

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2264 Q. Now I direct your attention to page 2(a) concerning a cable from one Losovsky. He refers to a league.

My first question is, do you know who Losovsky was? A. He was the Chairman—

Mr. Marcantonio: Mr. Chairman—

Mr. Paisley: No, where he was. It says the cable was received. As far as the document is concerned, we don't know where he was.

The Witness: He was in Moscow.

By Mr. Paisley:

Q. Do you know to what League he was referring? A. Trade Union Educational League.

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2275 (The document referred to was marked for identification and received in evidence as Petitioner's Exhibit 66.)

Mr. Paisley: I am going to keep my questions on these minutes to a minimum, Mr. Chairman, and it will take a little time, because I am eliminating matters that we had expected to ask the witness about.

Mr. LaFollette: That is all right, Mr. Paisley.

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By Mr. Paisley:

Q. Mr. Gitlow, I call your attention to those listed as present.

Do you know whether any of those so listed were representatives of the Communist International, or, persons from Soviet Russia? A. Well, there was Bob, who was the representative of the Young Communist International, who was present, and Frank Miller, who was the representative to the party from the Executive Committee of the Communist International.

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2284 (Petitioner's Exhibit 69, marked for identification and received in evidence.)

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2287 Q. I call your attention to the first page, Mr. Gitlow, on the subject of "Negro Work," a motion by Ruthenberg that Comrade Whiteman "be requested to write out his report so that it can be sent to the Eastern Department of the Comintern, showing the progress in the work the A.N.L.C. is doing."

2288 Can you interpret that for the Board? A. The Eastern Department of the Comintern was the department that handled the Negro question, and reports on the Negro question, the activities of the Communist Party in this field of work, were sent to that department.

Q. And the ANLC, is that the American Negro Labor Congress about which you testified previously? A. It is, yes, sir.

Q. Down at the bottom of that page and continuing over to the next page is the topic "Anti-Imperialism," and has reference to "A.A.A.I.L.,"—in Cuba, and reference to a league, not otherwise denominated.

Can you tell us what the "League" was and what the "A.A.A.I.L." was? A. Well, the A.A.A.I.L. is the All-American Anti-Imperialist League, and the league referred to above is the same, the All-American Anti-Imperialist League.

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2313 Q. Now, Mr. Gitlow, are you familiar with this subject of the Port Bureau's which was apparently under discussion at the top of page 7 of this exhibit? A. I am.

Q. Will you explain to the Panel just what that matter was? A. The Port Bureau was a form of organization established on the waterfront. Club rooms were hired and facilities made available to sailors in order to attract them to these club rooms, and as a result of that the communists carried on their organizing work on the waterfront through these port bureaus.

Q. Did the Profintern have anything to do with the establishment of the bureaus? A. The organization of the port

bureaus was carried on, in all the leading ports of the world, under the direction of the Profintern, and the instruction for the organization of such port bureaus
2314 went out to the Trade Union Educational League,
which was the Profintern section in the United States.

Q. What was the interest of the Communist Party of the United States in this matter? A. Because the Communist Party determined the policies, and supervised the activities of the Trade Union Educational League.

Q. Do you know whether or not the port bureaus were established in ports of the United States? A. They were.

Q. And were these established under the auspices of the Communist Party, for its own purposes? A. They were established and opened by the Communist Party for its particular purposes, on the waterfronts.

Q. Did the Profintern aid the establishment of these bureaus financially? A. It did.

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2315 Q. To what extent did the Communist Party aid financially these port bureaus? A. It provided the financial funds to open these port bureaus and provided the funds to operate them on the Atlantic Seaboard.

Mr. LaFollette: Was that during the year 1927, covered by these minutes, or at this time, in January, 1927?

The Witness: The organization of them was discussed at this time, but actual organization took place a little later.

Mr. LaFollette: During your period in the party?

The Witness: During any period in the Party.

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Q. Did you know a man known as George Mink? A. I did.

Q. Did you know whether or not he was active in the matter of the port bureaus? A. He was active in the matter of the port bureaus and organizing of communist activities on the waterfront.

Mr. LaFollette: Was he a member of the Commu-
2316 nist Party of the United States?

The Witness: He was a member of the Communist Party of the United States.

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2317 Q. I call your attention, Mr. Gitlow, to page 5, Miners International Conference.

It seems that a wire had been received from Salutsky to send a delegate.

Can you interpret that in any way for us? A. Yes, Salutsky was a Russian, and an official of the Profin-
2318 tern and in charge of the Miners International Conference which was to be held by the International Propaganda Committee.

Q. Where did he want the delegates sent? To what place? A. The conference was to be held in Moscow.

Q. Here's another matter I overlooked. On page 6, there is the heading "IWA." There is some reference to a film, division of proceeds of the film showing shall be 25 per cent to the Art Film Corporation, 35 per cent to the IWA, 20 per cent to the National Office, and 20 per cent to the local organizations of the Party, and so on.

What kind of film was that? A. The International Red Aid sent Russian films to the United States to the International Workers Aid, and the profits to be made from the distribution of the films, was decided upon by the Party organization.

Q. Did the Russians charge anything for the film? A. Not one penny.

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2322 Q. I call your attention to page 2 of Petitioner's Exhibit 80, Mr. Gitlow, a cable quoted there and signed "ECCI Kuusinen", and refers to Jack, Ben and Bill going over to Moscow.

Do you know who Jack, Ben and Bill were? A. Yes, Jack was J. Lovestone, Ben was myself and Bill was William Z. Foster.

Q. Now on page 4, as to the motion by Bedacht that the Political Committee request the Communist International for permission for one Comrade Kruse to return. Do you know who Kruse was? A. That was Bill Kruse, who attended Lenin's University and graduated from the Lenin University, and who was in Moscow at the time.

Q. Was he a member of the American Communist Party? A. He was a member of the American Communist Party.

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2323 Q. Now as to this Petitioner's Exhibit 81, Mr. Gitlow, I direct your attention to the motion starting at the bottom of page 2, dealing with the "Arcos" raid. Can you tell us what the "Arcos" raid was? A. That 2324 was the name of the Russian Trading Corporation in Great Britain.

Q. Well, had some raid been made on it? A. Yes, the British Government raided the offices of the Arcos, and took away a lot of documents and material, letters and so forth, from the property.

Q. Keep your voice up, Mr. Gitlow. A. The British Government raided the Arcos office, and took away documents, letters, and files from the Arcos.

Q. How do you know that? A. Reported in the Press.

Q. Well, was it ever under discussion in any of your Communist Party meetings, afterwards? A. I discussed it at the time I heard about it, with Lovestone. We were on our way to Moscow when the news broke of the Arcos raids and we were very much disturbed about them because information appeared in the Press which gave the names and addresses of our connections and contacts for mail and cable, between the Communist International and the Soviet Government and the American Communist Party.

Q. Did it result in the disclosure of any of your secret members or agents in the United States? A. No, it disclosed the names and the addresses of the people who got confidential letters, reports, cables, and moneys from Moscow in the United States.

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2326 Q. Did you discuss it in Moscow, with your Comrades? A. Yes, the matter was under discussion at the Plenary sessions of the Communist International.

Q. Well, was any policy adopted with reference to the "Arcos" raids? A. The policy adopted was to center the attack against Great Britain as a moving force in trying to provoke a war against the Soviet Union.

Q. Do you know whether or not the Communist International communicated its wishes or desires in the matter to the Party here in the United States? A. Well, they 2327 adopted the policies, and these policies were transmitted to the Communist Party of the United States.

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2332 Q. Can you tell us with whom you discussed the "Arcos" raid in Moscow, in Soviet Russia? A. Well, I discussed it with J. Lovestone and I discussed it with Bukharin and other members of the Executive Committee of the Communist International.

2333 Q. Who was Bukharin? A. He was the president of the Communist International.

Q. Well, they don't get any higher in the Communist International than the president, do they?

Mr. LaFollette: Well, I think that is arguing with the witness. But is there any one higher than Bukharin?

The Witness: Yes, there was one higher.

Mr. LaFollette: Who is that?

The Witness: The General Secretary of the Soviet Party of the Soviet Union.

By Mr. Paisley:

Q. Who was he? A. Joseph Stalin.

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2337 Mr. LaFollette: Mr. Gitlow, had you gotten this far? Did you discuss the question of acquisition of Soviet codes by the British Government with anyone in the Comintern? Did that discussion come up?

The Witness: That discussion came up.

Mr. LaFollette: With whom did it come up?

The Witness: That came up with the "ORG" Department of the Comintern, and an individual in charge of that department by the name of Abram.

Mr. LaFollette: What is the "ORG" Department?

The Witness: The organization department of the Comintern and Abram was the one responsible for maintaining the codes and secret addresses and means of communications with the sections of the Communist International.

Mr. LaFollette: Was he an officer of the Communist International?

The Witness: Yes.

Mr. LaFollette: Were they in session at the time that you were there?

The Witness: He maintained an office. We had
2338 sessions of the Comintern which I attended, but in
between sessions we had discussions with Abram in
his office in which we discussed these matters, and as a result of that a new set of codes was drawn up for the American Communist Party, which were turned over in my presence to J. Lovestone and brought to the United States.

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2340 Q. Who was Grey, who appears to have set in with
you on that meeting? A. Grey is the same name as
2341 Brown, who was the representative to the Commu-
nist Party of the United States from the Executive
Committee of the Communist International.

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2396 Q. I notice one Swift was present and was making
some motions at this particular Political Committee
meeting, Mr. Gitlow.

Who was Swift? A. Swift is John Pepper, also an alias, and Joseph Pogany, mentioned before.

Q. Representative of the Communist International to the American Communist Party? A. That is correct.

2397 Mr. Paisley: We offer as Petitioner's Exhibit 95 the minutes of the Political Committee of June 15, 1928.

Mr. Abt: Same objections, Mr. Chairman.

Mr. LaFollette: Same ruling.

(Petitioner's Exhibit 95 marked for identification and received in evidence.)

By Mr. Paisley:

Q. Who was Markus? A. Markus was a representative of the Communist International sent as an organization instructor to the American Communist Party.

Q. So that you had two C.I. representatives there, Swift and Marcus, is that right? A. At that time Swift was not in the category of a Comintern representative to the American Communist Party.

Q. What is his category? A. As a member of the Communist Party and a member of its Political Committee.

Q. Those minutes seem to me very largely dealing with the miners situation in the anthracite coal fields.

Had the Communist International at that time indicated any interest in this situation? A. The Communist International had indicated great interest in the miners' situation in the United States, and had instructed the
2398 Communist Party to carry on a campaign among the members of the United Mine Workers for the purpose of defeating the presidency of John L. Lewis, and it went to the extent of subsidizing that campaign.

Q. In what manner did it subsidize the campaign against Lewis? A. Over a long period of time it subsidized it with contributions to the Communist Party for this specific work.

Q. To what extent? Do you have any idea to what extent? A. Well, the extent varied, depending upon the particular time. Sums ran from twenty-five to fifty thousand dollars at a time.

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Q. Now, Mr. Gitlow, we have had some mention of the "Blue Blouses." Whether it is in testimony or argument here, I do not remember.

Anyway, what were the "Blue Blouses?" A. The "Blue Blouses" was a workers group organized in the Soviet Union, who were dressed in dark trousers or skirts with blue blouses, and whose forte was pantomime.

2399 Q. Well, can you tell us more about them, now? A. Yes, they were offered to the Workers International Relief in the United States to tour the country, and the funds realized from such a tour to be distributed on whatever basis the Political Committee decided or the Secretariat decided.

Q. As I understand it, they were furnished by the Communist International? A. That is right.

Q. And they were citizens of Soviet Russia? A. That is right, were not American citizens?

Q. And went back over there, after their tour? A. That is right.

Q. On the top of page 5—

Mr. LaFollette: This was a show troupe, was it?

The Witness: That was a show troupe, a Soviet Union show troupe.

Mr. LaFollette: Like a ballet, only this group was a pantomime group.

The Witness: That is right.

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2400 Q. Mr. Gitlow, is that your signature there, as acting executive secretary of the Party? A. It is.

Q. Now this was in June, 1928? A. That is right.

Q. That is the year that you ran for vice president, and Foster for president, on the Communist party ticket, is that right? A. That is right.

Q. Had you been in Moscow recently, at this time? A. I was in Moscow at the beginning of 1928.

Q. Did you discuss this coming political campaign? A. I did.

Q. In Moscow? A. In Moscow.

Q. Was anything said over there about finances? A. There was.

2401 Q. Will you tell the Panel what was said? A. The Executive Committee of the Communist International decided to contribute 35 thousand dollars to the election campaign of the Communist Party, in the United States.

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Q. Proceed, Mr. Gitlow. A. The Executive Committee made a decision to contribute 35 thousand dollars to help the campaign, the election campaign, of the Commu-
2402 nist Party in 1928, and when I left Moscow for return to the United States to be present at the nominating convention, which was held in New York City, I got instructions from the Executive Committee of the Communist International to stop over in Berlin and to pick out an advance of $3,500 for the American Communist Party.

Q. Did you do that? A. I did.

Q. Did you bring it back with you? A. I did.

I brought it back with me in cash, and turned it over to Jay Lovestone, who was then acting as the general secretary of the Communist Party.

Q. Is he still living, is he, as far as you know? A. He is still living, yes.

Q. Was it American currency or what? A. It was American currency.

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2415 By Mr. Paisley:

Q. Can you identify that document, Mr. Gitlow? A. That is a financial statement, monthly financial statement that was issued by the National Office of the Communist Party.

Q. Do you know what these two items refer to "Lenin's Student Expense Refund, $1,350" and "Negro Stu-
2416 dent Expense Refund, $710?" A. I do.

Q. What was it? A. That was money that was laid out by the Communist Party to finance the trip of members of the Communist Party who were selected for the Lenin University and the Far Eastern University. The Negro students went to the Far Eastern University, and the Lenin students to the Lenin School.

And the money that was laid out by the Party to finance their trip was refunded by the Communist International.

Q. How did that come into your possession, Mr. Gitlow? A. Those monthly financial statements were given to every member of the Political Committee and every member of the Central Executive Committee of the Communist Party.

Q. Did you turn that over to the Federal Bureau of Investigation? A. I did.

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2417 Q. Mr. Gitlow, can you identify those documents that have just been handed to you? A. Yes, sir, these are all records of money received from Moscow, from the Communist International, and the manner in which the money was expended in the Party.

Q. How did these papers come into your possession? A. They came into my possession through the handling of this fund, as I already testified, when—

Mr. LaFollette: Which fund is that?

The Witness: With reference to the miners campaign.

Mr. LaFollette: All right.

The Witness: When Foster, and Lovestone, and other leaders of the Party, went to Moscow to attend the Sixth World Congress of the Communist International, in the summer, I think, of 1928.

By Mr. Paisley:

Q. And did you get receipts for some of the expenditures you made? A. I did.

Q. And do you see some of the receipts there, in that group of papers? A. I see the receipts, and a list of the moneys that were received, the date on which they were received, and some of the money was kept in the custody of the National Office of the Party—all of this is recorded on different slips of paper here.

2418 Q. When you would pay out money, would you take a receipt? A. When I paid out money I got a receipt for the same.

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2422 (The document previously marked Petitioner's Exhibit 102-A received in evidence.)

By Mr. Paisley:

Q. Now there is a total there of four items, Mr. Gitlow, listed under the word "received."

You say this is in your own handwriting? A. This is in own handwriting.

Q. Can you interpret those figures for us? A. That is received from Nemser, who was the recipient of these funds when they came from Moscow and he turned over $20,300.

The Julius referred to here who turned over $1000 received from Moscow is Julius Heiman.

Foster turned over the balance of what he had on hand, of $3,252, and his stepdaughter, Manly, turned over the balance of what she had on hand, of what she kept, of $3,350, making a total of $27,902.

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2423 Q. Well, how did you learn that it came from Moscow? A. The matter was reported to the Secretariat, and all these finances were handled by the Secretariat, and that is how I got to know about these transactions.

Q. What does the next group of figures mean, the ones marked "Paid out?" A. That is how the moneys were expended, and what happened.

Q. Did you pay $1,000 to Markus? A. I paid $1,000 to Markus, and then, for the conduct of the mining campaign, $5,179.46; I had on hand at the time I made this, $1500, and the National Office had of these funds $21,650.

Q. I didn't get that last. What about the National Office? A. The National Office had on hand, of these funds, $21,650.

Q. Who was Markus? A. Markus was the repre-
2424 sentative of the Communist International to the Communist Party of the United States assigned to do organization work in this country. To help.

Q. You say you gave him a thousand dollars? A. Yes, sir.

Q. Where is the receipt from Markus? A. Right on the back here.

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2435 Q. I hand you two documents, Mr. Gitlow, photostats of which have been marked for identification Petitioner's Exhibits 103-A and 103-B, and I will ask you to tell the Panel what they are, if you know.

(The documents referred to were marked Petitioners Exhibits 103-A and 103-B for identification.)

Mr. LaFollette: May I ask, Mr. Turner, which one is "A"?

Mr. Turner: The one reading "Special delegation trip account" is 103-A, and the other is 103-B.

Mr. LaFollette: Very well.

The Witness: Yes, this is an expense—

Mr. Abt: Which exhibit are we talking about now?

Mr. LaFollette: Are you speaking of the one headed "Special delegation trip account"?

2436 The Witness: Yes, this is the special delegation trip account, expense account of the delegation that went to Moscow in 1929 to appeal against Stalin's decision on the Communist Party of the United States. And Lovestone raised some money to finance that trip, and then made a statement of the expenses which he turned over to me as the General Secretary of the Communist Party.

By Mr. Paisley:

Q. How much of that money did Lovestone turn over to you? A. $924.30.

Q. Do you remember where you were when he turned it over to you? A. I think we were either on board ship or in Europe already. I can't set the time exactly.

Q. Now, tell us about the other page, Exhibit 103-B. A. This was expense money handed to the different members of the delegation, and the amount of money they received and their signatures for the same.

Q. Do you know who distributed the money? A. I distributed the money, and the names are in my handwriting, with the sums next to them, and the signatures are below.

Q. You were then travelling as James Hay? A. That is right.

2437 Mr. Paisley: We offer both documents in evidence before we ask any questions about their contents.

Mr. Abt: May I ask one question with reference to 103-A?

Mr. LaFollette: Yes.

Mr. Abt: Whose handwriting do you say that is?

The Witness: Which is that?

Mr. Abt: 103-A.

The Witness: That is in the handwriting of Jay Lovestone.

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2438 Q. How many were there in this delegation? A. I think we were about ten.

Q. You went along? A. Yes.

Q. Lovestone? A. Lovestone—let's see if I can remember them all—there was Lovestone, myself—that is two—Bedacht was three, Eddy Welsh was four, White is five, Ella Reeves Bloor, six, Noral was seven, Huiswood was eight. There might have been some more, I can't think of any now. I think there was a fellow by the name of Miller from Detroit, making nine.

Q. You may refer to those signatures, if you want to, to refresh your recollection. A. And Meyerscough was the tenth.

Q. Will you look at the second page there? A. Yes.

Q. How about the second name, John— A. Jukubowski. That evidently is the name of one of the delegates who travelled on a false passport. The only ones who travelled on legitimate passports were William J. White and Otto Huiswood.

Q. Did any of this money listed under "Money re-
2439 ceived" come from the Communist International? A.
On this list?

Q. Yes. A. No. That was money raised—it was an extreme emergency and was raised very quickly and did not come from the Communist International, but was repaid by the Communist International.

Mr. LaFollette: Was repaid?

The Witness: Yes.

By Mr. Paisley:

Q. Who is this "Golos" who apparently loaned you two thousand dollars? A. Golos was a charter member of the Communist Party who belonged to the Russian Bureau of the Communist Party and was connected with the Technical Aid Society and headed the World Tourist Organization, and was also a member of the espionage organization of the Russian Government.

Q. Known as? A. I know him under the name of Golos.

Q. What was the espionage organization? A. Well, the GPU. He was a member of it.

Q. Do you note the next item there, Mr. Gitlow, "Marcus, fare, $222.31"? A. That is right.

Q. Do you recall what that item was? A. He re-
2440 turned to the Soviet Union, and we supplied him
with his fare back. He was the representative of the Communist International.

Q. Well, apparently that is a receipt of funds, $222.31? A. That is right.

Q. Going to make up this total of $3,173.05? A. Yes.

Q. That you had to spend on this trip? A. Yes, that was the return for Marcus' fare, who had gone back to Russia, and they made up this sum, out of which the expenses for the delegation were paid.

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2445 Q. Well, tell us about International Publishers, Mr. Gitlow.

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2446 The Witness: International Publishers is the publishing house of the Communist International in the United States.

By Mr. Paisley:

Q. Was it held out to the public as such? A. No. It was held out to the public as a legitimate publishing house. No ties with the Communist International.

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2462 Q. Mr. Gitlow, I notice the use of the word "Trotzkyism" in this document in several places.

Is that a word that occurred frequently in writ-
2463 ings circulated by the Party? A. Yes, sir, that occurred frequently in documents and theses and programs issued by the Communist Party when Trotzky fell in disfavor with the other top leaders of the Communist Party of the Soviet Union, and as a result of that Trotzky became a mark to attack, and attack very sharply, and the word "Trotzkyism" was created to signify a system of deviation from the official line of the Communist Party of the Soviet Union, and from the Communist International, and Trotzky, the great hero, became the target for abuse and attack throughout the International Communist movement.

Q. Would you say that it came to have that meaning to members of the Party generally? A. Yes, sir, sure.

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2470 Do you recall your first visit to the Soviet Union, in 1927? A. I do.

Q. At that time, did you have any discussions with Joseph Stalin, himself? A. I did. I had a discussion with Joseph Stalin in 1927. The discussion took place at his office at the Headquarters of the Central Committee of the Russian Communist Party.

Q. And what was the occasion for your meeting with him? A. The occasion for my meeting with him is that Joseph Stalin wanted to have a personal interview with me, and to ask me a number of questions and to give his
2471 own personal opinions on affairs in the United States.

Q. And what was your position at the time? A. At this time, in 1927, I was sent by the Communist Party of the United States at the special request of the Communist International to attend the Plenary sessions of the Executive Committee of the Communist International.

I was a member at the time of the Polburo of the Communist Party of the United States and of its Central Committee.

Q. Was anyone else present when you had your discussion with Stalin? A. There was.

Q. Who else was present? A. Present was John Pepper and Jay Lovestone and I think Robert Minor. I am not sure.

Q. How long did the conversation last? A. Well, the interview with Stalin lasted about an hour and a half.

Q. What did you discuss? A. Well, Stalin addressed his questions to me on economic conditions in the United States, the number of salaried workers in the United States, on the possibility of a revolutionary situation in the United States, and so forth, a number of very pertinent questions concerning the economic, social, and political affairs of the United States.

2472 Q. Do I understand that you discussed the possible revolutionary situation in the United States? A. We did at that time.

Q. Did he have any suggestion that you remember? A. Yes, he was of the opinion that we faced no immediate revolutionary situation in the United States in 1927, and he was of the opinion that the Communist Party should make a very serious effort to get a foothold in the Trade Union movement of the United States, and also should work out a program for social legislation and conduct, a very energetic campaign on behalf of social legislation in the United States.

He said that this was essential in order to attract to the Communist Party a much larger membership, and to await a sharpening of the economic and social situation in the United States for future revolutionary activity.

Q. Now, you went back in 1928 again? A. Yes, sir.

Q. And it was in 1929 that you were finally expelled, was it? A. I was expelled in 1929.

Q. Were your relations with the Communist International and its officials, in 1928, good? Were you in disfavor at all? A. Not in 1928.

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2479 Q. Go ahead. You can tell what your associates in this leadership of the Party told you about what went on. Go ahead. As a result of the situation, which you have described, did any factionalism develop in the Communist Party of the United States, or had it theretofore existed? A. As a result of this situation there developed in the United States a very intense and bitter factional situation in the Communist Party, in which the Foster group conducted a campaign against the leadership of the Communist Party in the United States, that they were Bukharinites.

That came to a head in the calling of the convention of the Communist Party in 1929—the beginning of 1929, in February.

2480 Prior to the calling of that convention, the Executive Committee of the Communist International had made certain decisions concerning the Communist Party of the United States.

When the convention was called into existence, the leadership in charge of the Party had secured 90 per cent of the delegates to the Sixth Convention of the Communist Party, which was held in New York City, and the Foster group had approximately ten per cent of the delegates to that convention.

On the eve of the convention, we received two representatives from the Executive Committee of the Communist International, with decisions which they claimed had the approval of Joseph Stalin.

These decisions were hinted to our Party before the Convention took place in reports which we received from our representative to the Communist International, Bertram D. Wolf, who claimed that the Executive Committee of the Communist International was considering proposals for the American Party which would virtually remove the present leadership of the Party from control of the Party organization.

When Mr. Dengel—

Q. Wait a minute. That is D-e-n-g-e-l, is it? A. That is right.

Mr. LaFollette: Who was he?

2481 The Witness: He was one of the two representatives a member of the Communist Party of Germany.

Mr. LaFollette: Excuse me again. I want to ask you something. A few minutes ago you said that on the eve of the convention, "we received two delegates from the Communist International."

The Witness: That is right.

Mr. LaFollette: Identify for me who "we" is.

The Witness: I mean the Communist Party received.

Mr. LaFollette: Now may I ask you, do you mean the Secretariat, the Political Committee, the Executive Committee, or whom do you mean?

The Witness: When I speak of "we," these two delegates were sent to the convention of the Communist Party of the United States, and to the Communist Party of the United States.

Mr. LaFollette: And they arrived on the eve of the convention?

The Witness: They arrived on the eve of the convention, and Lovestone, Bedacht, Minor, and myself, received these two delegates.

Mr. LaFollette: All right.

By Mr. Paisley:

Q. One of them was Pollitt? A. The other was Pollitt, a member of the Communist Party of Great Britain.

2482 Q. Do you know whether he is still alive or not? A. Harry Pollitt is still alive, I think.

Q. Do you know what he is doing? A. He is a leader of the Communist Party of Great Britain.

Q. What about Dengel? Do you know anything about him? A. I don't know anything about him.

Q. All right, go ahead. A. The leading faction of the Communist Party of the United States conferred at length with Harry Pollitt and Dengel. There were times when our conferences with these two representatives lasted all night long, or 24 hours at a stretch.

The ones that conferred with the two representatives representing the majority at the convention consisted of myself, Jay Lovestone, Robert Minor, Max Bedacht, and Jack Sachel.

It became evident immediately that the delegates from the Executive Committee of the Communist International were carrying iron-bound instructions.

Mr. Abt: Mr. Chairman, I object and move to strike out. Let the witness tell what happened.

Mr. LaFollette: I think that is correct. State the facts from which you reached that conclusion. I mean, what they said, or what they did, or who they spoke to.

The Witness: They reported, at these meetings—

2483 Mr. LaFollette.: This is Dengel and Pollitt?

The Witness: Dengel and Pollitt.

Mr. LaFollette: All right.

The Witness: —that Stalin was dissatisfied with the leadership of the Communist Party of the United States because they were supporters of Bukharin in the Communist International, and for that reason could not be trusted. He proposed that Jay Lovestone put himself at the disposal of the Communist International for work outside of the United States—in other words, that he should be removed from the affairs of the Communist Party of the United States, and work directly under the Executive Committee of the Communist International.

The same proposal was made for a member of the Foster faction, Alexander Bittelman.

In the composition of the Central Executive Committee that was to be elected, the instructions provided that a majority—the orders, rather, that Dengel and Pollitt gave us, provided that a majority of the Central Executive Committee shall be composed of the Foster group, and that William Z. Foster should be elected the General Secretary of the Communist Party, even though he had only ten per cent of the delegates at the convention, of the Party.

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2486 Q. Mr. Gitlow, I believe we had reached the point
2487 where, at the convention, you had elected your officers, and so on.

Now will you proceed from that point, please, on this matter of your expulsion? A. From that point, after we elected the officers, we decided to elect a delegation to elect a delegation to proceed to Moscow to present the case of the Communist Party of the United States, and to appeal against the decisions made, which were presented to the convention by Phillip Dengel and Harry Pollitt.

We elected a delegation, which consisted of Jay Lovestone, myself, White, Ella Reeves Bloor.

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Q. Is it the same group whose names were listed on the expense sheet? A. It is the same group whose names were listed on that sheet.

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2501 A. In addition to that, the chairman of the committee of three was designated as the plenipotentiary of the Executive of the Communist International, with full powers over the Communist Party of the United States.

He was given specific power to nullify any decision that any committee, or any branch of the Communist Party of the United States made, or would make.

He was also given the power to expel any member of the Communist Party he wanted to expel, or he thought necessary to expel.

He was given power over all the press, and auxiliary organizations of the Communist Party—was given the power to remove any person from any job in the Communist Party.

He was also provided with a fund to carry on his work, and to see that the decisions were effectively carried out.

Then in reference to the Daily Worker, he was given an additional sum of $100,000, that in the event the Party lost control of the Daily Worker, this $100,000 was to be the means for establishing a daily newspaper for the
2502 Communist Party, loyal to the Communist International.

These were the organizational decisions that were made at the meeting of the Executive Committee of the Communist International, and accepted by the Executive Committee of the Communist International.

By Mr. Paisley:

Q. You at that time, I take it, had not been formally expelled? A. No, I was not yet formally expelled from the Communist Party.

Q. Well, did that end the hearings? A. The question of my expulsion was pending my return to the United States, and whether or not at that time I would or would not accept the decision of the Communist International in the address.

Q. Do you mean that you and Lovestone and the others who had opposed it, still had an opportunity to change your minds when you got back to the United States? A. That is right.

Q. Well, what happened after this decision was read by Molotov? A. After this decision was read by Molotov, Bedacht and Weinstone and Foster, who had voted in favor of the delegation, were permitted to return to the United States.

The others were kept in Moscow until the plenipo-
2503 tentiary head of the delegation had arrived in the
United States to take charge of the affairs of the
Communist Party.

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2524 Q. As I understand, your answer was that the
Communist Party of the United States did send rep-
2525 resentatives to other countries? A. It did.

Q. Did it do that on its own, or otherwise? A. Sometimes on its own, and more often on instructions from the Communist International.

Q. And do you know of any individuals who were sent to any other countries, other than Soviet Russia, on instructions of the Communist International? A. I do.

Q. Would you name them? A. Well, there was Harrison George, H. W .Wicks, Earl Browder, William F. Dunne, and others.

Q. How about Zack, otherwise known as Cornfetter? A. He went to. I think, Bolivia.

Q. Do you recall any other representatives than those you mentioned in your testimony, who were sent to Moscow as representatives of the Party in this country? A. Well, I will try to record as many as I can remember.

Louis C. Fraina, John Reed, Nicholas Hourawich, Israel Amter, J. Louis Engdahl, Robert Minor, Max Bedacht, Harrison George, Earl Browder, H. M. Wicks.

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2526 Q. Did the Communist International ever send any money through the Communist Party of the United States to representatives in other countries?

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The Witness: Yes, the Communist International sent funds through the American Communist Party for transmission to the Communist Party of Mexico and the Communist Parties in South America, and to finance cer-
2527 tain activities in the Far East and particularly the activities of Earl Browder, who had an office in Shanghai.

Mr. Paisley:

Q. Did the Communist Party of the United States, during the time you were one of its members and leaders, contribute any money to the Communist International? A. During the time I was officially tied in with the Communist Party of the United States, we never contributed a single nickel to the Communist International.

Mr. Paisley: This might be repetitious. I don't think it is. But I will ask the specific question.

By Mr. Paisley:

Q. Did the Communist International contribute any money to the political campaign, in 1924, when you and Foster ran for vice president and president respectively? A. The Communist International contributed to that campaign 50 thousand dollars.

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2536 Cross Examination

By Mr. Marcantonio:

Q. When is the first time you heard about the 2537 Trade Union delegation that was to go to the Soviet Union, Mr. Gitlow? A. It was somewhere around 1927, I think.

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2538 Q. But a delegation was finally organized, you say, by the Communist Party; is that right? A. That is right.

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2539 Q. The membership of the delegation, was that communist? Were the members of that delegation communists? A. The actual members of the delegation were not members of the Communist Party.

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Q. Then, who were members of the Communist Party? A. The technical staff and the head of the technical staff, Dunn, was a secret member of the Communist Party.

Q. So you say the technical staff were members of the Communist Party; is that right? A. Practically all of them.

Q. Practically all of them? A. Yes.

Q. And Mr. Dunn, you testified, I believe, was the secretary of the staff, is that right, of the delegation? A. That is right.

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2540 Q. If I recall your testimony correctly, you say that the Communist International sent somebody over here to get this delegation established; is that correct? A. Yes, they sent someone to conduct a campaign for getting of the delegation organized.

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Q. I see. That man's name was Purcell; is that right? A. That is right.

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2547 Q. The fact, though, is that the International Federation of Trade Unions was not a Communist organization? A. It was not a Communist organization, though it had Communist forces inside of it.

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2553 Q. Coming back to Purcell, what position did he hold in the British Trade Union Congress? You say you don't know? A. I said I didn't know. I don't recollect.

Q. Do you know what position he held in the International Federation of Trade Unions? A. I don't recall.

Q. Do you know if Mr. Purcell came to attend the American Federation of Labor Convention here in 1925?
A. That—now you refresh—that was one of his
2554 reasons for coming here, too.

Q. So that now you have two reasons for him coming here? A. Yes, sir.

Q. One as a Communist International Agent to organize— A. That is right.

Q. Just a moment.

Mr. LaFollette: Let him finish the question.

By Mr. Marcantonio:

Q. —to organize this Trade Union delegation to the Soviet Union, and second, to attend the American Federation of Labor Convention, is that right? A. That is right, at which Convention he made a strong plea for the Soviet Union.

Q. And he came here, did he not, as a fraternal delegate to the American Federation of Labor Convention? A. That is right.

Q. As a matter of fact, was not Mr. Purcell president of the British Trade Union Congress in 1924? Do you know? A. That I could not tell you.

Q. Was he not president at the time he visited the United States, of the International Federation of Trade Unions? A. He may have been. I cannot tell you at this time.

Q. Was he or was he not a member of the British House
of Commons at that time, as a labor member? A.
2555 That I don't recall.

Q. Would it refresh your recollection if at this time I read the introduction given to him by President of the American Federation of Labor, which described the various offices that he held?

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Mr. Marcantonio: For the purpose of the record, I
2556 am now reading from the report of the proceedings
of the Convention of 1925, American Federation of
Labor, page 143.

"President Green: Now, fellow delegates,"—I will skip a lot of the introduction. I simply want to read that portion in which he describes the next speaker, Purcell.

Mr. LaFollette: This is another page. Will you read that into the record, please?

Mr. Marcantonio: Page 139. "The two fraternal delegates from Great Britain are Brother A. A. Purcell and Brother Ben Smith. Brother Purcell will be the first speaker. He has long been engaged in Trade Union work in Great Britain. He is a member of the Furniture Workers Association, is an organizer of that Association. He is now a member of the General Council of the British Trade Union Congress, and last year served with honor and distinction as its president.

"He was recently elected, from a coal-mining constituency, as a member of the British Parliament.

He is the president of the International Federation of Trade Unions.

"There are honors that have been placed upon him by the working people of Great Britain and the working people of the European Continent. Surely this ought to serve as a splendid introduction to this Convention and to the American people. Without any further remarks, I feel highly pleased that I am permitted to present to you 2557 this morning, Fraternal Delegate, A. A. Purcell."

By Mr. Marcantonio:

Q. Now, does that refresh your recollection as to the positions that Mr. Purcell occupied in Great Britain, and in the International Federation of Trade Unions? A. I take it for granted that if he received that introduction from William Green, that he held those positions.

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2564 Q. Is it not a fact that the Secretary of that delegation, known as the American Trade Union delegation to the Soviet Union, was Albert F. Coyle? A. Albert F. Coyle may have been the Secretary to that delegation, but the actual one who did all the secretarial work and drew up the report for the delegation was Robert W. Dunn, and Albert F. Coyle was also one who worked very closely with the Communist Party, got instructions from the National Office of the Communist Party, and has a long record of association with the Communist Party and with the Soviet Union.

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Q. And you said that Mr. Dunne was a secret member of the Communist Party, didn't you? A. I certainly did.

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2569 Q. Do you know who George S. Counts is? A. I do.

Q. He was Chairman of the Liberal Party in New York City, wasn't he, about a year or two ago? A. Yes, 2570 he was connected with the Liberal Party.

Q. Do you know whether or not he was a member of that Technical Staff? A. George S. Counts was a member of that Technical Staff, and at the time that he was a member of that Technical Staff, he was strongly pro-Soviet and collaborated very closely with the leadership of the Communist Party.

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Q. Was Rexford Guy Tugwell a member of that Technical Staff? A. He was.

Q. Was Paul H. Douglas, who is now United States Senator from the State of Illinois, a member of that Technical Staff? A. He was.

2571 Q. Was he a Communist? A. No, he was not.

Q. Was Rexford Guy Tugwell a Communist? A. No, he was not.

Q. Was Carlton Washburn a Communist? A. I cannot recall.

Q. Was he a member of the Technical Staff? A. If you are reading from that report and they put him down there, he was one of the members.

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Mr. Marcantonio: Do you recall any other members of that Technical Staff?

The Witness: I can't, but if I had the report before me, I could go through all the names.

By Mr. Marcantonio:

2572 Q. I show you a copy of this report.

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2573 Q. Mr. Witness, I now show you exhibit marked for identification CP-L, and ask you to look at it. And I ask you whether or not you can identify that document? A. I can.

Q. What is it? A. That is the report of the Trade Union Delegation to the Soviet Union.

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2580 Q. Now, Mr. Witness, I direct your attention to that portion of Exhibit CP-1, which is Page VI, with the subheading "Technical and Advisory Staff."

I will read the names under that subheading:

J. Bartlett Brenner, Ph.D., Assistant Professor of History, Columbia University, Oxford University, University of Tampa.

Was he a member of the Communist Party? A. I don't know whether he was or not.

Q. I now read the second name: Stuart Chase, Director, Labor Bureau, Inc., and Certified Public Accountant, Massachusetts Institute of Technology and Harvard University, author "Tragedy of Waste," and so forth.

Was he a member of the Communist Party? A. He was
not a member of the Communist Party, but he col-
2581 laborated closely—

* * * * * * * * * *

2592 Q. Would it refresh your recollection, as to what Mr. Purcell said—do you know what Mr. Purcell said at the American Federation of Labor convention? A. I do not.

Q. You do not? A. Not at this time, I don't.

Q. Did you know at that time, in 1925? A. I read about it at the time.

Q. Would it refresh your recollection, then, if I read a couple of paragraphs from these proceedings, as to what Mr. Purcell said?

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2594 The Witness: Yes.

By Mr. Marcantonio:

Q. So that now you do recall what Mr. Purcell said? A. Yes, sure.

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2597 Mr. Paisley: May I ask him just one question going to the weight of it?

Mr. LaFollette: Yes.

Mr. Paisley: As I understood you, Mr. Gitlow, you read from that book there, and as I understand you answered "yes."

The Witness: That is right.

Mr. Paisley: What does that mean, that you have read the speech, or that it appears to be the speech you read in a newspaper, or what?

The Witness: It refreshes my recollection as to what he said.

Mr. Paisley: Were you there when he made the speech?

The Witness: No, I was not there.

Mr. Paisley: But it refreshes your recollection as to what you read?

The Witness: That is right.

Mr. Paisley: In a newspaper?

The Witness: That is correct.

Mr. Paisley: Purporting to be a report of the speech?

The Witness: That is right.

Mr. Paisley: I see. All right.

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2599 Mr. LaFollette: Will you read that part which has been indicated, Mr. Gitlow?

The Witness: This is Purcell's remarks:

"I have been to Russia"—

Mr. Marcantonio: May the record indicate that this is Purcell's speech at the A.F.L. convention in 1925.

Mr. LaFollette: If it doesn't already show that, it may. Proceed.

The Witness: "I have been to Russia. There I have seen the workers assuming vast responsibilities and duties, carrying through the organization of society under frightful difficulties. As a workman I am proud of the genius for organization and the essential grit of things which my class in Russia has displayed.

"Just as your President sent that warm and helpful letter on behalf of the Chinese Workers, demonstrating thereby a desire to help those Chinese workers in their difficulties, so I want you to approach the question of relation with the workers of Russia. Let the same generous spirit prevail. The times we live in are too big, too fraught with fate, to permit of little prejudices, barring the way to human relationship.

"Russia is a very big place—the Union of Socialistic Soviet Republics occupies one-sixth of the land surface of the globe. It is an enormous factor in the world—a
2600 tremendously powerful factor in the life of the world.
Just recently I read in the Press that a great business concession amounting to millions of dollars was granted by the Russian Government to one of your leading firms. Many American capitalists and financiers have been to Russia endeavoring to set up business deals. There is illimitable wealth in Russia.

"The soil of Russia is rich, the mineral resources of Russia are enormous, the timber, flax, hides and raw materials of Russia generally are plentiful. Given a few good harvest years and Russia will become one of the wealthiest countries in the world.

"I have seen the foundations of the biggest electrification scheme in the world being laid down in Russia. The Russian people are a great people—strong, patient, hardworking and clever. And they number 150 millions. These people, these workers and peasants are building up a new economy and a new life, keenly and rapidly adopting to their use all the latest developments in science and industry, the most up-to-date machinery, the most modern and technical devices.

"I say that you, workers of America, have much to learn from Russia. We must not be afraid of new ideas. It has often struck me that while the Americans have been the most advanced—the most receptive—in ideas concerning mechanical inventions and business organizations, they

2601 have been most slow in accepting new social and political ideas.

"I do hope that from now on, the organized workers of America will establish the closest fraternal relations with the organized workers of Russia. Just as the General Council of the Trades Union Congress, representative of the whole Trade Union movement of Britain, has sent delegations to Russia, so I hope and trust the American Federation of Labor will do the same.

"Do not be afraid of being called names. Were Abraham Lincoln, Sam Gompers, or 'Gene Debs, those great sons of the American people, ever afraid of being called names, or being reviled, maligned, and persecuted?"

By Mr. Marcantonio:

Q. One other question: Do you know whether or not this report was shown to the members of the technical staff, whether they were aware of its contents? A. I never received the report that it was.

Q. You don't know? A. I don't know.

Q. And yet, these members of the technical staff were active with this delegation, were they not? A. Some were, some were not.

Q. Well, you said that they surrounded the delegation, did you not? A. Some did. Some were very active with the delegation.

2602 Q. You don't know whether or not they were aware of the contents of the report? A. All of them, no.

Q. And you still say, now, that Mr. Purcell, member of Parliament, and so on, was here as an agent of the Communist International? A. I do.

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2618 Did you discuss this case with ex-Communist Party members? A. With ex-Communist Party members?

Q. Yes. A. Yes, I discussed it with ex-Communist Party members.

Q. With whom? A. I discussed the case with Benjamin Mandel, an ex-Communist Party member.

Q. Before you go further, who is Benjamin Mandel? A. Benjamin Mandel is working with the—at the present time he is working, I think, in a research capacity for the special committee set up by the Senate on subversive activities.

Q. He is working on Senator McCarran's Staff, is he not? A. I know a committee was elected by the Senate and he is working for that committee.

Q. Is that the committee of which Senator McCarran is the chairman? A. It is.

Q. And he is working for that committee? A. That committee.

Q. In a research capacity? A. I think so.

2619 Q. When did you discuss this case with Mr. Mandell? A. I discussed this case last night with him.

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Q. Was Mr. Kornfedder present when you discussed it with Mr. Mandel? A. He was present in the room, but he did not participate in the discussion.

Q. So there were three of you in the room at that time? A. Oh, more than three.

Q. Who else was in the room? A. Well, there was Forrest Davis and his wife.

Q. Forrest Davis? A. Yes.

Q. Is he an ex-member of the Communist Party? A.
2620 No, he is not.

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2628 Q. All right. We come to last night. You say you did discuss this case with Mr. Mandel last night? A. Yes.

2629 Q. What did you tell him? A. I told him of the procedure that was following here, of the testimony

I gave, the number of weeks, and the strain of giving this testimony and so forth.

Q. Did you tell him that you needed his testimony to corroborate yours? A. No, I did not know he was going to be a witness.

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2834 Q. I now ask you, Mr. Witness, if you were asked these questions and if you made these answers. I am reading from page 724 of the transcript of May 7:

"Q. Those minutes seem to me very largely dealing with the miners situation in the anthracite coal fields.

Had the Communist International at that time indicated any interest in this situation?

"A. The Communist International had indicated great interest in the miners' situation in the United States, and had instructed the Communist Party to carry on a campaign among the members of the United Mine Workers for the purpose of defeating the presidency of John L. Lewis, and it went to the extent of subsidizing that campaign."

2835 Were you asked that question and did you make that answer? A. I was and I did.

Q. Were you asked this question, and did you make this answer:

"Q. In what manner did it subsidize the campaign against Lewis?

"A. Over a long period of time it subsidized it with contributions to the Communist Party for this specific work."

Were you asked that question and did you make that answer? A. I did.

Q. Were you asked this question and did you make this answer:

"Q. To what extent? Do you have any idea to what extent?

"A. Well, the extent varied, depending upon the particular time. Sums ran from twenty-five to fifty thousand dollars at a time."

Do you remember being asked that question and making that answer? A. I did.

Q. Then the transcript shows that there was an offer of the exhibit, the minutes of the Political Committee of
2836 January 18, 1928, that Mr. Abt objected to, that Mr. LaFollette made a ruling, and the Petitioner's exhibit was marked for identification and received in evidence.

Now, you testified before the so-called Dies Committee in 1929, did you not? A. I did. Not in 1929.

Q. 1939? A. Yes.

Q. Do you recall making this statement, page 4557 of the proceedings of those hearings:

"So we started a campaign against John L. Lewis. We were supported very handsomely by Moscow in that campaign. I remember personally two installments of funds for this campaign, in which we got at one time $50,000, and another time $50,000, making a total of $100,000."

Do you recall making that statement? A. I don't recall making it, but it is in line with what I testified here.
2837 Q. If you don't recall, I will show you the testimony before the Dies Committee on page 4557, and ask you if it refreshes your recollection, that portion that has a bracket on the side of it.

Mr. Paisley: Recollection as to what?

Mr. Marcantonio: As to whether or not you made that statement, Mr. Witness.

The Witness: I made that statement.

By Mr. Marcantonio:

Q. I now read from page 123 from a book allegedly written by the witness, "The Whole of their Lives," and I will ask you, Mr. Witness, if you recall making this statement:

"When the $100,000 was spent, Moscow sent more money—subsidies to continue the fight—subsidies for special miners' papers—subsidies to hold national conventions of progressive miners to bribe miners' officials and to pay for an army of communist organizers in the mining fields before the fight was over, in the year 1928, when the communists organized their own miners union—the National Miners Union—Moscow had spent over a half million dollars to smash Lewis and the Communist Party in-
2838 creased that sum by an additional $200,000," and so on.

Do you remember making that statement? A. I do.

Q. Did you testify under oath before the Dies Committee? A. I did.

Q. And you testified here that everything you stated in both of your books was true, did you not? A. I did.

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2839 Q. I now read from page 727 of the transcript of May 7, 1951:

"Q. Had you been in Moscow recently, at this time?
"A. I was in Moscow at the beginning of 1928.
"Q. Did you discuss this coming political campaign?
"A. I did.
"Q. In Moscow?
"A. In Moscow."

Were you asked those questions and did you make those answers? A. I did.

Q. "Q. Was anything said over there about finances?
"A. There was.
"Q. Will you tell the Panel what was said?
"A. The Executive Committee of the Communist International decided to contribute 35 thousand dollars to the election campaign of the Communist Party. in the United States."

Were you asked those questions and did you make those answers? A. I did.

Q. At the bottom of page 728 of the transcript of the same day, did you make this answer:

2840 "A. The Executive Committee made a decision to contribute 35 thousand dollars to help the campaign"—

A. I did.

Q. —"the election campaign, of the Communist Party in 1928, and when I left Moscow for return to the United States to be present at the nominating convention, which was held in New York City, I got instructions from the Executive Committee of the Communist International to stop over in Berlin to pick out an advance of $3,500 for the American Communist Party.

"Q. Did you do that?

"A. I did.

"Q. Did you bring it back with you?

"A. I did. I brought it back with me in cash, and turned it over to Jay Lovestone, who was then acting as the general secretary of the Communist Party."

Were you asked those questions and did you make those answers? A. I did.

Q. Now, you testified in the case of Harry Bridges, did you not? A. I did.

Q. Do you remember being asked questions and making answers at that hearing? A. I don't remember the 2841 questions, but you can read them, maybe it will refresh my recollection.

Q. No, but you were asked questions, and made answers to questions? A. Yes.

Q. Referring to page 837 of the transcript of the record, Volume II—this is a record filed in the Circuit Court of Appeals, Mr. Paisley.

Mr. Paisley: Yes sir.

By Mr. Marcantonio:

Q. Were you asked these questions and did you make these answers:

"Q. Is it owned and operated by the Communist Party?"

The answers will reveal what we are talking about here.

"A. It was owned and operated by the Communist Party from the beginning up to the present time."

Referring to the Daily Worker.

"Q. Did you ever bring any money from Moscow for use by the Daily Worker?
"A. Yes, I brought money here in 1928.
"Q. In 1928?
"A. Yes.
"Q. How much?
"A. I brought an initial $3,000 of a fund of $35,-
2842 000, which was donated by the Communist International for our Presidential campaign that Year."

Do you remember being asked those questions and making those answers? A. I don't remember, but the answers are the kind of answers I would have given.

Q. That you would ordinarily give? A. Yes.

Q. Now, do you remember this question:

"Q. Did you bring any other moneys?
"A. No, I personally never did."

Do you remember that answer? A. If it is in there.

Q. Well, it is in there. A. But it would be my answer.

Q. I will show it to you. I ask you if it refreshes your recollection? A. It doesn't refresh my recollection, this particular answer.

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2845 Q. Then, Mr. Witness, would you say that the amount in here is an error, and that it has always been $3,500? Is that your testimony? A. That is right. That is my testimony.

Q. That is your absolute and unchangeable testimony at this time? A. That is right.

Q. $3,500? A. That is right.

Q. And you never said anything else? A. No.

Q. And, therefore, you say that this amount here, of $3,000, is an error? A. That is right.

Q. And incorrectly reported? A. That is right.

Q. Well, let's see. Did you testify about this particular matter in the case of Lauer versus Butterworth, that is the University of Washington Case? A. I did.

Q. And you testified on those? A. I did.

2846 Q. I now read from page 823, the following statement, page 823 of your testimony, Mr. Witness, in the transcript of the proceedings of November 12, 1948, before the Faculty Committee on Tenure and Academic Freedom, in the case of Edward H. Lauer, Complainant, versus Joseph Butterworth, et al., Respondents, held at Walker Ames Room at Farrington Hall, Volume 9 of the testimony.

Did you testify in that proceeding? A. I did.

Q. Do you recall making this statement:

"And I myself brought over a sum, for starting the campaign in 1928, the Presidential campaign in 1928, I brought over the initial sum of an allotment of $50,000, in the sum of $5,000 in American bills. So that is the manner in which the expenses were paid by Moscow, of the American Communist Party."

Do you recall making that statement? A. I do not.

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2849 Q. Now, Mr. Witness, you were under oath in your testimony in the case of Lauer versus Butterworth, were you not? A. I was.

Q. And you now say that the amount that you mentioned in that testimony was $3,500? A. I do.

Q. And did you say that the initial sum was $50,000 or $35,000? A. $35,000.

Q. $35,000? A. Yes.

Q. And the sum was $3,500 all the time? A. That is right.

2850 Q. All right, let's see. You wrote about this in your book, “I Confess,” did you not? A. I did.

Q. I now call your attention to page 496 of your own book, “I Confess,” and I ask you if you made this statement:

> “Of course, the seeds of that totalitarianism already existed during the Lovestone-Gitlow regime. For example, I returned from Moscow to attend the 1928 Presidential convention of the Party with $5,000 in my jeans, as the first installment of a Moscow contribution of $35,000 to our Presidential campaign.”

Do you recall writing that? A. If it appears there, it is an error.

Q. Well, you say “if it appears there.” I will show it to to you and ask you if it refreshes your recollection as to whether or not—now get the question—as to whether or not you wrote it? A. I wrote the book, but I don't recall writing “$5,000.” It is $3,500.”

Q. Is there anything else in that book you don't recall writing? A. There were a few errors in the book.

Q. Mention them. A. I can't mention them at this time.

2851 Q. But you say this is an error, the $5,000? A. That is right.

Q. Did you ever state at any other time that it was an error? A. I was never asked that question.

Q. You have read the book, haven't you? A. I have.

Q. You have read it—it has been called to your attention, your own book, several times, has it not? A. That is the first time that particular item was called to my attention.

Q. But you testified, in the Butterworth Case, before the Dies Committee, and here, about this item? A. I testified before the Dies Committee and before this hearing, about this item, and before you brought up the Bridges Case on this item, and the Butterworth Case.

Q. And now you say that the $5,000, in your own book, is an error? A. That is right.

Q. You read the proof of your book, did you not, at the time it was printed? A. I did.

Q. This was quite an important item in your book, was it not? A. It was.

2852 Q. In fact, it was the only time you would say you ever carried any money from Moscow to the United States? A. That is right.

Q. So it was quite an important incident in your career, wasn't it? A. It was.

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2853 Q. Mr. Witness, did you discuss the testimony that you gave during the recess? A. I did.

Q. What phase of it did you discuss with him? A. I discussed all phases of it.

Q. You discussed every phase of it with him? A. Yes, sir.

Q. Are you straightened out, now, as to anything you want to change? A. There is nothing I want to change.

Q. You still say that your own book, and the record of your testimony in Lauer v. Butterworth, and in the Bridges Case, did not represent your testimony on that particular item of $3500? A. Some parts do, some parts don't.

Q. I am talking about the 35 hundred dollars versus the five thousand dollar figure.

Does it represent your correct testimony, on that point? A. I think I have answered all those questions.

Mr. Marcantonio: He qualified it, Mr. Chairman.

Mr. LaFollette: Yes, but that question is not quite intelligible to me, Mr. Marcantonio. Go back and ask

2854 it again.

Mr. Marcantonio: All right, I will withdraw the question.

By Mr. Marcantonio:

Q. Was your testimony as to the 35 hundred dollar item correct in Lauer vs. Butterworth, as shown in the transcript of that hearing? A. The transcript is wrong.

Q. That is all I want to know.

Was it right or wrong with respect to that particular item in the Bridges case? A. What was right or wrong? I don't know what you are talking about.

Q. With respect to the 35 hundred dollars item.

Mr. LaFollette: The transcript.

By Mr. Marcantonio:

Q. Was the transcript right or wrong? A. It was incorrect with reference to the $3500.

Q. And the portion in your book, which says $5,000, is that right or wrong? A. It is incorrect.

Q. Did you make a memorandum to the FBI on this subject, in any manner, shape or form? A. I don't recall.

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2860 Q. I now read from the transcript of the hearing, page 825, Mr. Witness, beginning with the question by Mr. Paisley:

"Q. Proceed, Mr. Gitlow."

Did you make this answer:

"A. In addition to that, the Chairman of the Committee of three was designated as the plenipotentiary of the Executive of the Communist International, with full powers over the Communist Party of the United States."

A. I did.

Q. Then I skip the next two paragraphs, that I don't believe are relevant for this purpose, and then continuing the answer, did you make that statement:

2861 "He was given power over all the press, and auxiliary organizations of the Communist Party,—was given the power to remove any person from any job in the Communist Party.

"He was also provided with a fund to carry his work, and to see that the decisions were effectively carried out.

"Then in reference to the Daily Worker, he was given an additional sum of $100,000, that in the event the Party lost control of the Daily Worker, this $100,000 was to be the means for establishing a daily newspaper for the Communist Party, loyal to the Communist International."

Did you make that answer? A. I did.

Q. Is that statement true? A. To the best of my knowledge, it is true.

Q. Well, you said you heard him make that decision? A. I did.

Q. You are certain in that he said $100,000 was to be turned over for the purpose of establishing another newspaper in the event that your group lost control of the Daily Worker? A. To the best of my recollection that is what was said.

Q. Is there anything about that recollection that you want to tell us has been changed now, since you testified on direct examination? A. No. there is not.

2862 Q. Your group did not retain control of the Daily Worker, did it? And so the money was not transmitted, was it? A. That I have no knowledge of.

Q. To your knowledge it was not transmitted, was it? A. I know nothing about that. I was out of the Party.

Q. Now you testified about this matter, with respect to the Daily Worker—I withdraw that question.

Rather with respect to the 1929 meeting, which you have described here on page 826, as to the decision, you testified in 1941 about it before the Rapp-Coudert Committee, did you not? A. I may have.

Q. Do you remember whether or not that you did? A. I don't recall.

Q. Do you recall making this statement—and I am now reading from page 1845 of the proceedings before the Rapp-Coudert Committee, a committee of the New York State Legislature investigating public schools in the City of New York. The date of the hearing is June 4, 1941.

Mr. LaFollette: Was the witness under oath?

Mr. Marcantonio: I was going to ask him that question. I believe I did before, but I will ask him again—I mean on the other matters.

Mr. LaFollette: Yes. I don't recall.

Mr. Marcantonio: All right.

By Mr. Marcantonio:

2863 Q. Were you under oath when you testified before the Rapp-Coudert Committee? A. I was.

2864 Q. Do you remember making this statement:

"In 1929, when I was expelled from the Party, a representative was sent to the American Party with extraordinary powers. This representative was a Russian, and was sent personally by Joseph Stalin and Molotov. He was given a quarter of a million dollars because they expected a serious split in the American Party, and he was given the power to do anything he desired to do with the American Party."

Do you recall making that statement? A. I do.

Q. Do you recall mentioning the figure "a quarter of a million dollars"? A. I do.

Q. The stenographer in the case of this record did not make a mistake, as to your testimony? A. I don't think so.

Q. On that particular instance, at any rate? A. Not on that particular instance.

Q. Do you recall writing about this instance in "I Confess"? A. I wrote about that incident in "I Confess."

Q. I now read to you from page 565 of that book and ask you if you made this statement, reading some intro-

2865 ductory matter for the purpose of helping refresh your recollection, first, and then I will ask you if you made this whole statement.

I start on page 564, bottom of the page.

"But even this arrangement was not a sufficient guarantee for Stalin. He proposed that the Russian chairman of the committee of three plenipotentiary powers over the Secretariat, the Political Bureau, the Central Executive Committee and all the districts of the Party, that this single individual have the sole right and power to make decisions which would have the full weight of Comintern authority back of them and would have to be obeyed without appeal. It was also decided to help the Party's fight against us with all the resources at the command of the Comintern.
Following that meeting, Bedacht was called in for a private conference at which the strategy of the fight in America was worked out, and the decision made to send the Party an initial sum of $50,000, with which to finance the fight."

Do you recall making that statement? A. I do.

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2868 Q. All right. Did you, in either one of your two books, "I Confess" or "The Whole of Their Lives," ever mention a figure of a hundred thousand dollars? A. I don't recall now. I may have.

Q. Well, you may have. I show you the two books and ask you to show me. You should be able to find there
2869 very easily where you write about this incident.
Show me where you mentioned a hundred thousand dollars.

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The Witness: Here is a part: "A supplementary decision was made by Stalin on the Daily Worker, which provided that if the Daily Worker fell into the hands of the opposition, Williams was to be supplied with upwards of one million dollars to launch a new daily communist paper."

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2878 Mr. LaFollette: Mr. Gitlow, I would like to ask you this:

In any of the conversations which you have had with Mr. Mandel, with reference to the conduct of this case, have you discussed with him your opinion or evaluation of the conduct of any member of this panel during the hearing?

The Witness: I discussed the conduct of this case, I discussed the attorneys in the case, I discussed the members of the Panel.

Mr. LaFollette: You discussed the members of the Panel?

The Witness: That is right.

Mr. LaFollette: And their conduct during the conduct or sessions of these hearings?

The Witness: I did.

Mr. LaFollette: Mr. Gitlow, let me ask you this:

Would you have discussed the matter of the conduct of the Panel in this hearing, any of them, with Mr. Mandel, had he not occupied the present position which you 2879 know he occupies?

The Witness: I would have discussed it with him, because he is a friend of mine, over a long period of time, interested in the matters that I am interested in, and whenever I am in Washington I discuss matters with him.

Mr. LaFollette: And do you or do you not know that the question of the confirmation of the members of this Board, including, of course, the members of the hearing Panel, is undecided at the present, by the Senate Judiciary Committee?

The Witness: I knew of that fact.

Mr. LaFollette: Do you or do you not know that Mr. Mandel is on the payroll of the Senate Judiciary Committee?

The Witness: I know he is on the payroll of the Senate Judiciary Committee.

Mr. LaFollette: Mr. Paisley, my personal reaction is these are very very unpleasant answers to hear from this witness.

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2924 Q. Was the representative of the Communist International ever an American? A. Never.

Q. I didn't get the answer. I am sorry. A. The representative of the Communist International to the Communist Party of the United States was never an American.

Q. Was he a member of the Communist Party of the United States? A. One became a member of the Communist Party of the United States.

Q. Once they became a member of the Communist Party, they ceased to be members of the Communist International? A. No.

Q. Is it your testimony now that a member of the Communist Party of the United States could at the same time hold office as a representative of the Communist International to the Communist Party of the United States;
2925 is that your testimony? A. Every representative
of the Communist International to the Communist Party of the United States, when he landed in this country, became a member of the leading committee of the Communist International and functioned on that committee as a member of the Communist Party.

Q. I now ask you, did he become a member of the Communist Party of the United States? A. One became, for a time, a member of the Communist Party of the United States. Only one representative, and that was John Pepper.

Q. And at the time he was a member of the Communist Party of the United States, was he still a representative of the Communist International? A. He was not.

Q. He was not? A. No.

He was assigned by the Communist International to membership in the Communist Party of the United States, and to work with the Communist Party.

Q. I want to get this straight. Then when he became a member of the Communist Party of the United States, he ceased being the representative of the Communist International; is that your testimony? A. Yes, yes.

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3013 Q. Now, have you met Mr. Mandel since the recess last night? A. I did.

Q. This is the fifth time you have met him since I started cross examining you, isn't it? A. I don't recall whether it is the fifth or the fourth, or the sixth, but I met him last night.

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3020 Q. Have you discussed these proceedings with any member of the Judiciary Committee of the United States Senate?

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3021 Mr. LaFollette: I think that as the Presiding Member of the Panel I intruded this line of questioning
3022 into the case.

So that my own thinking may be made clear for everybody to know, I feel pretty much the same way about this witness discussing my conduct in the hearing room with Mr. Mandel, under the circumstances, as I would if I were a nisi prius judge, in an elective office, and a political boss had the right to control my nomination or renomination.

I would resent it very much. I don't know that it necessarily proves, of itself, that there was an attempt by this device to intimidate me.

In a sense, I do not know that it is material. Were I in the position that I have enumerated, and since I am in this position, I can only remember, and I think each member of this Panel remembers, that I was sworn to do my duty.

I repeat that I personally would resent it, and that I do resent it. I also say that I think that I am capable of attaching such credibility and weight to this witness' testimony as should be despite this conduct.

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3024 Mr. LaFollette: All right let me make a statement. Let the record show that I have been requested by my colleague, Mr. Brown, to make the record doubly sure—which I thought it was—that the sentiments which I expressed with reference to my attitude towards this conduct, are not his.

And let the record further show, without request, that they should not be imputed to my colleague, Dr. McHale. They are my own personal feelings of what I consider to be proper, normal reaction to the conduct of this witness.

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3033 Q. Now, Mr. Witness, the questions I am going to ask you at this point are with respect to your opinion of the Communist Party and the Communist leadership, not of today, but the Communist Party and the Communist leadership during the period when you were a member.

Now, would you not say that the Communist membership, and the leaders of the Communist Party, sincerely believed in their position—I am talking about that period now. A. Well, you would have to let me know what particular position.

Q. Well, did they take the viewpoint that the most important thing in life was to change the economic system? A. They took the viewpoint—to generalize, it is very difficult to be specific because there are nuances as far as every leader in the Communist Party is concerned—but they took the general position, one, that capitalism was a decadent system of society, that it was in its last stages; two, that the most significant event in the history of mankind was the communist revolution that happened in Russia, that it set the pattern for a new system of society for replacing the capitalist system of society. While they recognized that, in their opinion, capitalism was a dying society, they nevertheless took the position, which was the position of the Communist Party, that capitalism as a society, and the governments which maintained it had to 3034 be destroyed, that that destruction was only possible through the use of force and violence in overthrowing the system.

Essential in overthrowing the system, the first essential in overthrowing the system, was overthrowing the governments that supported that system.

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Redirect Examination

3043 By Mr. Paisley:

3044 Q. I show you, Mr. Gitlow, Communist Party Exhibit number one, and direct your attention to the personnel listed there, under the heading "American Trade Union Delegation to the Soviet Union."

I notice that Mr. Marcantonio did not ask you about six individuals listed under the heading "Research and Secretarial Staff."

Do you know whether or not those individuals were members of the Communist Party at that time? A. It was reported to us that this staff was made up entirely of Party members, and the following were communists: Stanislava Piotrowska, that I know of—

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3046 The Witness: It was reported by Jay Lovestone to me in the national office, and also to the Secretariat, that all the members of the research and secretarial research staff were members of the Communist Party.

Of that number I know were definitely members of the Communist Party, Lois Perlmutter, Sara Ragozin, and Stanislava Piotrowska, of the University of Keiv, Warsaw.

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3049 Q. Now you testified, as I remember, on cross examination, that you do not know who signed the report, but you did know how it was drawn up and its final disposition.

Do you recall giving that testimony? A. I do.

Q. How was it drawn up, and what was its final disposition? A. It was drawn up by Dunne, submitted to the Secretariat by Lovestone, the report was gone over, and after it was approved, it was printed, ordered printed.

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3050 Q. Do you know, Mr Gitlow, whether there is any truth in the assertion in that book there, that the individual members paid their own way? A. There is no truth in that assertion and there was never a financial statement issued by the Committee.

Mr. LaFollette: Which committee is that? The Secretariat, or the committee—

The Witness: The Trade Union Committee itself.

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3060 Will you state, please, how well you knew Mr. Mandel before you came here to testify in this case? A. Mandel and I have been personal friends ever since 1922.

Q. Was he a member of the Communist Party while you were? A. He was, yes.

Q. Were you actively associated with him in the Communist Party? A. I was.

Q. Had you been with him socially before you came here this time? A. Do you mean how recently, socially?

Q. Anytime in the past before you came here? A. Oh yes, on many, many occasions.

Q. How long have you known Kornfedder? A. I knew Kornfedder from either 1918 or 1919 on.

Q. Was he a friend of yours? A. He was.

Q. Associated with you in the Communist movement? A. He was.

Q. Before you came here to testify? A. He was.

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3095 **Joseph Zack Kornfedder** took the witness stand, and having been duly sworn, was examined and testified as follows:

Direct Examination

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3098 A. In 1927 I was amongst those selected to go for additional training in Moscow, at the Lenin School.

Q. How long did you stay in Moscow? A. I stayed in Moscow from October, 1927, till April, I believe, 1930.

Q. And where did you go from Moscow? A. From Moscow I went to South America.

Q. In what capacity? A. As a representative of the Communist International.

Q. And how long did you stay in South America? A. I stayed in South America from May or June, 1930 till October, 1931. 3099

Q. A little better than a year? A. Yes, sir.

Q. And where did you go after you left South America? A. I returned to the United States.

Q. And did you continue your membership in the Communist Party when you returned to the United States? A. I did.

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3106 Q. Were there any special qualifications which a member had to have in order to be eligible for training in Moscow? A. Yes, there were.

Q. What were those qualifications, if you know? A. The individuals selected for training were to be not older than 35 years of age, and must have been active in the Communist Party for at least five years, and be more than average in ability.

Q. Who set up these qualifications, if you know? A. They were set up by the Comintern.

Q. And thereafter communicated to the Party of the United States? A. Yes, sir.

Q. Now initially, does the Party in the United States select the persons for training in Moscow? A. Yes.

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Q. During the time when you were on the Central
3107 Committee of the Communist Party of the United
States, did the Party originally select persons whom they intended to send to Moscow for training? A. Yes, sir, they selected them, as a recommendation.

Q. What do you mean by "as a recommendation?" A. They recommended several individuals to go for that training, but the recommendation was not definite until these individuals were approved in Moscow.

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Q. Now when you left the United States to go to Moscow, did you have an American passport? A. Yes, I did.

Q. Did you apply for that passport under your own name? A. No, I applied under a different name.

Q. Do you recall what name you used? A. To the best of my recollection the name used on that passport was Fochs.

Q. Did you bring any identifying papers, or any other documents with you when you made application for a
passport? A. Yes, I had the citizenship papers of
3108 Fochs, to make the application for the passport.

Q. At that time you were not a citizen? A. At that time I was not a citizen.

Q. And who supplied you with these papers if anyone? A. The papers were given me by George Mink.

Q. Let's stop there for a minute, and I will ask you who is George Mink? A. George Mink at that time was the Communist Party's waterfront leader in New York on the New York waterfront.

Q. And he supplied you with the necessary citizenship papers and other documents necessary for you to apply for a passport? A. Yes, sir.

Q. And the passport was thereafter granted? A. Yes, sir.

Q. In the name of Fochs? A. Yes, sir.

Q. From what port did you leave? A. I left from the Port of New York.

Q. And do you recall the route that you took to get to Moscow? A. Yes, I went over France to Germany to Berlin. Then in Berlin I contacted the Communist Party Headquarters and turned over my passport to an individual designated for that purpose, and he, within a matter of
3109 two or three days, supplied me with all the necessary papers to enter the Soviet Union.

Q. Did that include a Soviet visa? A. Yes.

Q. Was this visa then stamped right into your passport? A. No, the visa was on a separate sheet of paper.

Q. Was there any purpose in not stamping your visa into your passport, as far as you know? A. Yes.

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Q. Did you have any discussion with any person in Moscow concerning this visa? Either any official of the Soviet Government, any member of the Communist International, any leader of the training school? A. Yes, I did.

Q. Did you inquire as to why the visa was not stamped into your passport? A. Yes, I did, when I surrendered the passport.

Q. And what were you told? A. The individual in charge of the Secret Department of the Comintern looked through it as to whether a mistake had been made by stamping the visa into the passport, and then he explained the idea as to why such a thing is not done.

3110 Q. What was the explanation that he gave you? A. The explanation was that if the passport were stamped with the visa, then in any further travels for which the passport might be used later on, it would disclose that the individual had been in Moscow a certain length of time, which was considered not good for the purposes of using that passport later on.

Q. Did you pay your own transportation expenses when you went from New York to Moscow? A. No, the expenses were paid by the Communist Party.

Q. How do you know that? A. Well, I got the money from Jack Stachel, who was then righthand man to Jay Lovestone, I think in charge of the Organization Department.

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3112 Q. Were financial reports made at the meetings of the Central Committee? Were the questions of the Party's finances discussed at Central Committee meetings? A. Yes.

Q. From those discussions would you know whether the Party would be in a financial position to lay out the money to send these people to Moscow, that you have mentioned? A. Well, this question was not involved, because the money was paid by Moscow.

Q. How do you know that? A. I know that from my stay in Moscow, after I got there.

Q. And when you were in Moscow you learned that—was it the Comintern, the Communist International, had sent the money? A. That is right.

Q. You learned there that the Party sent money to the Communist Party of the United States for the purpose of paying the transportation expenses of members of the Communist Party to go to Moscow for training purposes, is that correct? A. Yes, sir.

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3113 Now, Mr. Kornfedder, when you left the United States for Moscow, did you know for how long a period of time you would stay in Moscow? A. Yes.

Q. How long a period of time was that? A. Three years.

Q. Three years? A. Yes.

Q. Now let's get down to why you were in Moscow. Did you attend any of the training schools? A. Yes,
3114 I attended the Lenin School.

Q. While in Moscow did you learn of the existence of any other type of training schools? A. Yes.

Q. Can you tell us what they were? A. Yes, there was the Western University, the Eastern University, the Academy of Red Professors, and then there was a special section of the Fronze Military Academy for Training Communists.

Q. Can you tell us, if you know, the distinctions or differences between these various schools, or what their specialties were, or anything about them? A. Yes, sir. At the Western University—well, they were all colleges for training in political warfare, but there was a difference.

The Lenin School took in trainees from the more advanced countries, Germany, Austria, France, England, the United States, Canada, and so on.

The Eastern University took in Communists for training from China, Korea, Siam, and other Asiatic countries.

The Western University took in Communists for training from the semi-agrarian countries, like the Balkans, the Baltics, countries like that.

The Academy of Red Professors was a training school for theoreticians for the Communist movement.

3115 Q. Does that complete your answer? A. Yes, that covers it.

Q. Now you stated that you attended the Lenin School? A. Yes.

Q. Can you describe the type of courses which were taught to you at the Lenin School, or the Lenin Institute? A. Yes. The training included economics from the Marxian point of view, based upon the role of the working class in the processes of production, the method of political warfare known as Leninism, the structure, character and method of organization of a Party like the Communist Party, and then there were some subsidiary courses in the methods of organization and operation in organizing factory workers or operating inside of existing labor unions.

Also methods of organization amongst agricultural workers and farmers, and methods of organization of what is in this country known as Fronts, but at that time were called conveyor belt organizations, and at the end, there was three months' course of a military nature in techniques and methods of insurrection.

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3117 Q. Now you stated that you were taught that the organizational structure of the Communist Party is highly centralized.

I wonder if you would explain that a little further? A. Yes, the Communist Party methods and structure taught in those schools was a military type of political organization, with an established chain of command, and high discipline, with the addition, which differs from the field of military organization, that the lower units would have considerable leeway in discussing local tactical problems.

Q. You say it was built along military lines? A. Yes, sir.

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3118 Q. You stated that you were taught, or given some courses in the techniques of insurrection and seizure of power.

Can you describe what you were taught in those courses? A. Yes. The courses on insurrection and seizure of power included preparation phases and then actual planning of the seizure of a city, or several cities, how to form troops for that purpose, or forces, what to do immediately
3119 after the seizure, and how to consolidate power after seizure.

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Q. Now, Mr. Kornfeder, you say you were taught methods of forming combat groups in connection with these courses.

Can you describe or tell us what these methods were for the formation of these combat groups? A. Well, combat groups would be groups that are selected from amongst

3120 those Party members who either had previous training with arms, had been in the military forces, or that had been taught the use of arms and who had shown, in various types of fighting, prior to the civil war, the courage to be selected for these kinds of groups.

The usual detachment of this kind of groups would be five men. They would be organized into command units of five groups, with one captain, and according to the plan that would be laid out as to what to take first, or second, at the time of insurrection in a city, they would be assigned to their objectives.

The objectives would have to be cased prior to action, so that each group would know the physical layout of the objective to be seized.

There would, of course, be a central command for any city, which would direct the operations of all these troops. Practical methods were taught on the basis of actual insurrections that had taken place in the past, either in Russia or Germany, or other countries.

Q. Now, were you taught anything concerning what conditions are necessary to exist before a successful revolution could be accomplished? A. Yes sir.

Q. What were those conditions? A. The conditions would have to be a major crisis in the country, either
3121 after a defeat in war, or an economic and political crisis. If I remember right, Lenin's formula on the subject was that the ruling classes would not be able to rule as usual, that the masses would not be able to live as usual, and that there would have to be a competent, sufficiently well organized Communist Party to take advantage of the situation.

Q. What role would the Communist Party play in such a situation? A. The Communist Party is the center for organizing such an insurrection.

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3125 Q. Now, Mr. Kornfeder, during your attendance at the training school in Moscow, did you engage in any other activity while you were in Moscow? A. Yes, I did.

Q. What else did you do? A. Well, I was a member of the Anglo-American Secretariat of the Communist International.

Q. Will you explain what the Anglo-American Secretariat of the Communist International was, as you understood it at that time? A. The Anglo-American Secretariat was a subsidiary set up in the headquarters structure of the Communist International, which dealt with affairs of English-speaking Communist Parties. On the Secretariat 3126 were representatives of the Communist Party of the United States, and Canada, and England, Ireland, Australia, and so on.

It received the reports coming to Moscow from these parties, discussed them, prepared recommendations for the higher bodies of the Communist International, and so on.

Q. And you were a member of this Secretariat? A. Yes.

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3127 Q. In your attendance at the Lenin Institute, did you ever receive courses on the trade union movement? A. Yes, that was one of the subjects.

Q. Will you describe what you were taught regarding the trade union movement at the Lenin Institute? A. Well, that comprised the matter of how to organize communist groups inside factories, or labor unions, how these 3128 groups were to prepare themselves for meetings of local unions, how to take advantage of certain grievances that the workers may have for the communist party's purposes, how to lead the activities in a strike, or towards a strike, and how to control a union once the communists are in control of it.

That is in brief——

Q. During the course of your instruction, were there any lectures as to the roles of the Communist Party in the event of a war between the United States and the Soviet Union? A. Yes.

Q. Will you describe what you were taught to be the role of the Communist Party in such an event? A. The role of the Communist Party in such an event was to work for the defeat of the country, in support of the Soviet Union.

Q. Was there any particular relation in that regard to the labor union movement? A. Yes, the relation was to carry on agitation and propaganda in such a way as to interfere with production and transport of munitions and war supplies.

Q. Now, when you left Moscow, I think you stated you went to South America? A. Yes, sir.

Q. Specifically, to what countries did you go?
3129 A. Colombia and Venezuela.

Q. Who sent you to these countries, if anyone? A. I was sent there by the Presidium of the Communist International.

Q. For what purpose? A. In Colombia it was a matter of reorganizing a badly functioning party, and to teach them the methods of communist organization, and in Venezuela it was to organize an underground party from scratch.

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3130 Q. Do you know of any specific individual? A. Yes, Charles Crumbein was—that is of the American communists, Charles Crumbein was sent for activities outside of the United States for a period of time, and Rudolph Baker was sent to Korea for a time.

Q. What nationality was this Rudolph Baker? A. He was a Yugoslav.

Q. And he was sent to Korea? A. Yes.

Q. In what capacity, if you know? A. Well, he went there as a representative of the Communist International.

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Q. Now, we have got you down in Colombia and Venezuela. I may have asked this before, but I will ask you again: How long did you stay down there? A. I came to Colombia in June, 1930, stayed until, I believe, April, 1931. Then I went to Venezuela.

Q. Were you required to take any special training
3131 in addition to your attendance at the Lenin Institute
for this position in South America? A. Yes.

Q. What kind of training were you required to take? A. Well, there was instruction in the secret department of the Comintern on how to use codes for communication, either in letters or cables, and also how to set up a radio station for short wave communications.

In addition to that, I met with the head of the Latin-American Secretariat every day for at least an hour, to brief me on politics in South America. His name was Ercoli Togliatti, the present leader of the Italian Communist Party.

Then I met, for two hours every day, the two specialists of the Red Army who were specializing on methods of guerilla organization and guerilla warfare in agricultural countries.

Q. Mr. Kornfeder, were you told before you left Moscow how you would be financed, how you would be supported, how your activities would be suppported while you were in South America? A. Yes.

Q. What were you told? A. I had an appropriation of $15,000 for the first six months for these activities, that I
was sent to carry out.
3132 Q. Did you take that money with you when you left
Moscow? A. Some of it I took with me, and other
sums were sent to me later.

Q. Directly from Moscow? A. They did not come directly from Moscow. They came to New York, first, and were sent from New York to Bogota, Colombia.

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Q. Mr. Kornfeder, you stated that the money from
3133 Moscow was sent first to New York and then sent to
you down in Bogota, Colombia? A. Yes sir.

Q. Do you know who sent it to you from New York? A. Yes.

Q. Who was it? A. It was sent to me by Earl Browder.

Q. Who was Earl Browder at that time? A. He was then the General Secretary of the Communist Party.

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3134 Q. Now let me get you back to Moscow, again, Mr. Kornfeder, and consider your membership in the Anglo-American Secretariat.

I recall that you stated that you received reports from the American Party in your official capacity as a member of the Anglo-American Secretariat. Is that correct? Did you state that? A. Yes.

Q. In those reports, or from those reports, did you become aware of a dispute in the leadership of the 3135 United Mine Workers of America?

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The Witness: Yes.

By Mr. Lenvin:

Q. Now, do you know the leading participants in that dispute? A. Yes, I think I remember the participants. It was a dispute inside the United Mine Workers between the forces led by John L. Lewis and the ones led by the Communist Party together with certain dissenting elements that were fighting John L. Lewis at the time, specifically John Brophy and Alexander Howard and several others, and the Communist Party was very much interested in that dispute. It had an organization in the field to carry on its activities in connection with that dispute.

3136 Mr. LaFollette: The Communist Party where, Mr. Kornfeder?

The Witness: In the United States.

By Mr. Lenvin:

Q. Did the Communist Party ever recommend any action to be taken regarding this dispute, while you were a member of the Anglo-American Secretariat? A. Yes.

Q. Do you recall what that action was?

Mr. LaFollette: Excuse me, I would like to know now, when you have got a man in Moscow, whether you are referring to the Communist Party of the United States or of Soviet Russia.

Mr. Lenvin: When they recommended any action which they communicated to Moscow which he would learn as a member of the Anglo-American Secretariat in the normal course of his business.

Mr. LaFollette: I understand that, but I would like to know from the question whether you were speaking of the Communist Party of the United States or the Communist Party of Russia, in this question. If the Communist Party recommended something, you said.

Mr. Lenvin: The Communist Party of the United States, did it recommend or make requests to the Comintern?

Mr. LaFollette: All right.

3137 The Witness: Yes, there were recommendations and requests. The recommendations were in the form of minutes of the Political Committee, that would come to Moscow, and would, of course, be available to the members of the Anglo-American Secretariat, and which dealt with policy to be pursued in this fight inside the United Mine Workers. The requests usually would relate to sums of money to finance the fight.

By Mr. Lenvin:

Q. Now, on this request for sums of money, were you consulted? A. Yes.

Q. Do you recall what specific sum, if any, was requested? A. The request I recall, and which in my opinion was solicited, was a request for $50,000.

Q. Who consulted you? A. There is in the Comintern a special commission on subsidies. The ones that were present at the time were Pianatzky, then Melnichansky, who was at the time representing the council of the Russian Trade Unions, and Losovsky.

They were the three that I recall were present on that occasion, because the matter dealt with an appropriation for communist activities in the labor unions.

Q. What transpired at that meeting? A. Well, 3138 Losovsky expressed an opinion that this may be a request by the then Lovestone leadership to use funds of the Communist International for factional activities, even though formerly they asked for it in order to carry on activities inside of the United Mine Workers.

So since I represented the Foster faction, which opposed Lovestone, I was asked whether, in my opinion, this was a pretense to get funds for a faction fight instead of for activities in the United Mine Workers.

Q. What did you recommend? A. I recommended that they give an initial appropriation of $25,000, because there was a fight going on in the United Mine Workers, and then check up, as to whether these $25,000 were properly used for the purpose requested.

Q. Would you know whether or not your suggestion was adopted? A. As far as I know, yes.

Q. Would you know whether or not the money was then actually sent? A. Yes, as far as I know, it was sent.

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3143 Q. Did you have occasion to hear the decision while you were in Moscow?

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The Witness: Yes, I heard the decision. I was there when it was made.

By Mr. Lenvin:

Q. What did you hear? What was the decision made? A. The decision was to reorganize—to purge the Communist Party of the United States of the Lovestone leadership and all its followers.

3144 Q. Was there any decision also made as to who was to take Lovestone's place, as leader of the Communist Party of the United States? A. Yes.

Q. Do you know what that decision was? A. Yes, the decision was that Foster—well, first it was decided that Foster was to be the General Secretary, and then that was changed to Browder.

Q. Browder was to be the General Secretary? A. Yes, sir.

Q. Would you know where Earl Browder was at this time? A. He was in China.

Q. Was the decision to make him the leader of the Party arrived at while he was in China? A. Yes.

Q. Would you know whether or not he was then summoned to Moscow? A. That is right. He was summoned to Moscow, and he came to Moscow.

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3145 Q. What was Browder doing in China? A.
He was at the time a member of the Pan-Pacific
3146 Bureau of the Comintern, assigned to activities in
China.

Q. Do you know a man by the name of Max Bedacht? A. I do.

Q. Who was he when you knew him? A. Max Bedacht was then a member of the Central Committee of the Communist Party of the United States, and a member of the Political Bureau.

Q. Was he in Moscow at the time the decision was handed down regarding the factional dispute in the United States? A. Yes, he was.

Q. Was he assigned to any leadership position in the Party, as far as you know? A. Yes, he was made a member of the Secretariat, and was to replace the former Lovestone leadership.

Q. Do you know a man by the name of Robert Minor? A. Yes, I do.

Q. Do you know who he was in this period, 1928-1929? A. Yes, he was also a member of the Central Committee and the Political Bureau.

Q. Did he, as far as you know, receive any position in the Party as a result of the decision in the factional dispute in the United States? A. Yes, he was also made a member of the Secretariat to replace the former Lovestone leadership.

3147 Q. Before the decision was made, would you know whether Minor was a supporter of the Foster or the Lovestone faction? A. He was a supporter of the Lovestone faction.

Q. How about Bedacht? A. Bedacht was also a supporter of the Lovestone faction.

Q. How about Browder, would you know? A. Browder was a supporter of the Foster faction.

Q. Was Minor in the Soviet Union at the time this decision was handed out? A. No, he was not.

Q. Do you know where he was? A. He was back in the United States.

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3169 Q. What did they tell you might happen if the Lovestone faction retained a majority of the membership in the Party? A. Well, amongst the things that it was decided to do, was to reorganize the Party completely, and if necessary create a new Party out of those that would accept the decision of the Communist International, and if necessary, to create a new daily paper from funds that Moscow would provide, and the same thing in reference to the Jewish daily paper of the Communist International.

That was in case they would not succeed to break down the Lovestone faction, and that said faction would retain control of the top machinery of the Communist Party in spite of the decision of the Communist International.

Q. Now I want to get you back to the United States again, Mr. Kornfedder. We will have to go back to the year 1921 or so.

In that period, around 1921, did you know a man by the name of John Pepper? A. Yes.

Q. Did you know him by any other name? A. Yes, Joseph Pogany.

Q. Did you know his nationality? A. Yes, he was a Hungarian.

Q. Do you know what he was doing in the United States?
A. He was here as a representative of the Commu-
3170 nist International, at the beginning.

Q. General representative? A. Yes, sir.

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Q. Now directing your attention to the period of
3171 the early 1920's, can you then state briefly the
Trade Union policy of the Communist Party at that time? A. Well, at the very beginning the policy was in favor of supporting and infiltrating the IWW—that is the Industrial Workers of the World—but very early—and by that I refer to 1921—the policy was to infiltrate the American Federation of Labor and the Railroad Brotherhoods.

That line of policy continued until 1928.

By Mr. Lenvin:

Q. All right. Let's stop there.

Did you then know, at that time, let's say between 1921 and 1928, a man by the name of Scott? A. Yes, sir.

Q. Who was he? A. Scott was a representative of the Red Labor Union International.

Q. What was that, the Red Labor Union International? A. The Red Labor Union International was a central body of Communist-controlled Labor Unions, on different continents. It functioned at the Trade Union Department of the Communist International.

Q. And whom did you say Scott was? You testified as to that. A. Scott represented the Red Labor Union International in the United States at that time.

3172 Q. Did you have occasion to speak to or confer
with Scott about that time? A. Yes.

Q. In connection with your official duties as an official of the Communist Party? A. Yes, I did.

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3173 Q. Why were you conferring, and holding these conversations, which you said you did, with Scott? A. I was then a member of the Central Committee in charge of the Communist Party's Labor Union activities, and I conferred with him because he represented the international central organization, the Red Labor Union International.

Q. Well, why would you—I still don't—all right.

Did you know of an organization known as the Trade Union Educational League? A. Yes.

Q. Do you know when it was first established? A. The Trade Union Educational League was first formed in 1921.

Q. Do you know who was responsible for the establishment of the Trade Union Educational League? A. The Communist Party, on instructions from the Communist International.

Q. Do you know how the Trade Union Educational League was financed? A. Yes.

3174 Q. How was it financed?

Mr. Abt: Let's find out how he knows, Mr. Chairman. This man does a lot of things, but we do not know how.

Mr. Lenvin: I don't mind asking him.

By Mr. Lenvin:

Q. How do you know? A. The initial setup was a subsidy——

Q. Just a minute, the question was, how do you know how the Trade Union Educational League was financed? A. As a member of the Central Committee, as a result of my conversations with Scott, and his reports to the Central Committee, I know.

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Q. Well, now, tell us how the Trade Union Educational League, then, was financed? A. It was financed in its initial stages by a subsidy of the Communist International.

Q. How do you know that? A. I know it because Jensen——

Q. Who? A. Well, that was his real name, Jensen.
3175 He went here under the name of Scott. Jensen came
over with the amount for that purpose.

Q. Do you know how much the amount was? A. The appropriation was a hundred thousand dollars, and he came with half of that, fifty thousand dollars.

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3176 Q. Mr. Kornfeder, while you were in Moscow, you
stated that in addition to attending the Lenin Institute you were a member of the Anglo-American Secretariat.

Did you hold any other position in any other organization in Moscow? A. Yes, I was on the same type of Secretariat in the Labor Union International, known as the Profintern.

Q. And in such position, would you receive reports from the United States as to Labor Union activities? A. Yes, sir.

Q. Now you stated, Mr. Kornfeder, that in 1921, the policy, the Trade Union policy, was infiltration, did you say? A. Yes, sir.

3177 Q. Infiltration of the Railroad Brotherhoods? A.
Infiltration of the American Federation of Labor and the Railroad Brotherhoods.

Q. How long did that policy continue? A. Until 1928.

Q. Was there a change in that year? In policy, that is? A. There was a change in emphasis.

Q. Can you explain the change? A. The change was to concentrate the main forces of the Communist Party upon organizing outside of the American Federation of Labor, and especially in the large basic industries.

Q. Now in 1928 you were in Moscow? A. Yes, sir.

Q. Is that right? A. That is correct.

Q. And you just testified that you were a member of the Anglo-American Secretariat and of the Profintern? A. Yes.

Q. And in such positions, did you learn the reason for

Q. The reason for the change in policy about which you have just told us? A. Yes, the Communist Inter-
3178 national changed its policy at that time on a worldwide scale, and that applied also to the United States.

In the United States there was a special reason in the fact that the large and basic industries had never been organized, and the Communist International was always impressed with organizing those industries.

So when the change of general policy came about, in its application to the United States, it meant to concentrate all forces, or most of the forces, in organizing the big industries.

Q. You testified that this was then a change in policy in the Trade Union activities of the Communist Party, is that right? A. Yes, sir.

Q. As a member of the Anglo-American Secretariat of the Profintern, were you in communication with leaders of the Communist Party in the United States? A. Yes.

Q. This change of policy, was that communicated by you to anyone in the United States? A. That was communicated, through the Profintern, and the Comintern, to the United States, yes, sir.

Q. How do you know? A. Well, I saw the instructions before they went out.

Q. Now this organization that you talked about,
3179 Trade Union Educational League, is that still in existence? A. No.

Q. When did it go out of existence, if you know? A. The Trade Union Educational League went out of existence in 1928.

Q. Did you have anything to do with the demise of the organization? A. Yes, I was in favor of its demise. And whatever I could do, in Moscow, I did.

Q. Was there any organization established to substitute or take the place of the Trade Union Educational League? A. Yes.

Q. What was the name of that organization? A. The name of the new organization was the Trade Union Unity League.

Q. What is the difference between the two, if any? A. The difference between the two is that the Trade Union Educational League operated only inside of established unions—either the American Federation of Labor or the Railroad Brotherhoods—and was not a dues-paying organization.

It was supposed to educate the members of these unions, from the inside, in favor of communist policies.

The Trade Union Unity League was set up as a rival federation to organize new unions in large industry in unorganized industry, to set them up as local unions in
3180 great national bodies, to collect dues, call strikes on
their own initiative, and so on.

Q. Now before I go any further, Mr. Kornfeder, I would like to know if you had occasion to learn anything regarding the organization setup of the Red International of Labor Unions? A. Yes.

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3182 Q. Now, you have previously testified that there was a change in trade union policy of the Communist Party instituted in 1928.

How long did that policy which you described as being instituted then continue? A. Till about 1934.

Q. And was there a change in that year? A. Yes.

Q. Can you describe the change? A. The change was again a part of an international change of policy, which had its effects on the United States—the so-called popular front.

So the change in the trade union field was to reemphasize, again, activity inside the American Federation of Labor and the railroad brotherhoods.

Q. How did you personally become aware of these shifts or changes in policy? Trade union policy, that is.

Mr. Lenvin: Let me withdraw that question.

By Mr. Lenvin:

3183 Q. This change that you mention as occurring in 1933 or 1934, rather, how did you become aware of that change? A. I became aware of it by pressure on me from the Central Committee to shift the active forces in a somewhat different direction, of giving more time to infiltration in the A. F. L. unions, and of assigning some of the active forces there, and so on.

Q. Did you have any conversations with anyone regarding these shifts or changes in trade union policy? A. Yes, the first thorough conversation I had on it was with Gerhardt Eisler.

Q. When was that? A. That was in 1933.

Q. Who was Gerhardt Eisler? A. Gerhardt Eisler was then the representative of the Communist International in the United States.

Q. Where did you have this conversation with him? A. In Cleveland, Ohio.

Q. Did you have occasion to discuss this change in policy with any leaders of the Communist Party in the United States? A. Yes, I discussed it also with Bill Dunn, with Earl Browder, and Foster.

3184 Q. Where did you discuss this matter with Earl Browder? And when? A. I think I discussed the matter with Browder at a large meeting of the Central Committee in New York, also in 1933, I believe.

Q. Were you on friendly terms with Earl Browder at that time, in 1933? A. Oh, yes, we were close political friends for a long time.

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3185 Q. Now, coming back to your testimony that you had a conversation with Gerhardt Eisler, in Cleveland, in 1933, what was the substance of that conversation, do you remember? A. Well, there were several items that were the subject of the conversation. One I already mentioned, of more emphasis upon infiltration into the American Federation of Labor, and another was that he wanted at the same time much more activity in the basic industries in Ohio, specifically he wanted me to call a strike at the Fisher Body Plant, in Cleveland, and I said it was impossible. There wasn't enough organization.

I insisted that a mass meeting be called. He claimed that all the American leaders underestimated the willingness of the American workers to fight. So, since he was the top boss, I called the meeting, and the meeting turned 3186 out just as I told him. It flopped.

Q. Was that the first time you ever met Gerhardt Eisler? A. No, I had met him before, in Moscow.

Q. When? A. I believe in 1928 or 1929.

Q. Do you know what he was doing in Moscow then? A. He was in Moscow then as part of a delegation from the German Communist Party.

Q. Now, you have said that he was the Communist International representative in the United States. How do you know he was the Communist International representative in the United States? A. Well, he told me so himself, plus I knew of it before he came there.

Q. How did you know that? A. Oh, by members of the Central Committee passing through Cleveland and stopping there.

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3190 Q. Was there a national convention of the Communist Party held in Cleveland in 1934? A. Yes, sir.

Q. Did you attend that convention? A. Yes, I was a delegate.

Q. Did you speak at that convention A. I did.

Q. What was the subject of your talk? A. The subject was my disagreement with the new switch of policy which then was being effected.

Q. Is there any procedure whereby a person indicates his desire to make a speech, on the convention floor, at a convention of the Communist Party? A. Yes.

Q. What is the procedure? A. You ask the Presidium of the convention, specifically the chairman, for time to speak.

Q. Did you adopt that procedure before you spoke at the convention in Cleveland, in 1934? A. Yes, sir.

Q. Was there any objection raised to your speaking? A. Yes. Gerhardt Eisler, who sat right there in the convention—of course, only those that knew who he was knew that he was there—warned me against speaking. He said
3191 if I voice disagreement, it will have very serious consequences for me.

Q. Did you understand what he meant by that term "serious consequences"? A. Yes, I think I did.

Q. What did you understand that he meant by it? A. I understood by that that I may be removed from all positions in the Party, and possibly expelled.

Q. You got that warning, and despite that warning did you speak on the convention floor? A. I insisted on speaking, yes.

Q. Do you recall the substance of the talk that you made on the convention floor at that time, in 1934. A. In a general way. I indicated my disagreement with the new switch of policy, specifically in the labor union field. My opinion was that in the United States, where most of the big industries were unorganized, the emphasis in organizing these industries into unions outside of the American Federation of Labor should be continued.

Q. Did anyone speak after you at this convention, on the same subject? A. Yes, indeed.

Q. In agreement with you? A. No. All the members of the Political Bureau, and many others, after that,
3192 kept on a barrage against me and what I said, including what I hadn't said which was sort of a verbal political lynching of me after that.

Q. Were there any consequences flowing from your speech on the convention floor? A. Yes.

Q. What was it? A. A member of the Central Committee, by name of Jack Johnstone, came to me in the name of the Political Bueau and in the name of Gerhardt Eisler, and said that if I do not make a statement to be published in the Party press repudiating my views, and endosing the new switch in party policy, I will be removed from all positions, I won't be able to engage in any activities without permission of the Political Bureau, and they give me sixty days to do that, and if I don't, I will be expelled.

Q. Now, after that conversation or communication with Johnstone, did you remain in Cleveland? A. I remained in Cleveland a few weeks, and then I returned to New York.

Mr. LaFollette: I would like to have the time of the convention and the time of this conversation fixed, if you can.

By Mr. Lenvin:

Q. Do you recall the month of the year in 1934 in
3193 which the convention was held? A. I think the con-
vention was in April, 1934.

Mr. LaFollette: April of 1934, is that right?

Mr. Lenvin: That is correct.

By Mr. Lenvin:

Q. And how long thereafter did you have this conversation with Johnstone that you referred to? A. Immediately after the adjournment of the convention.

Q. Now, do you know when that was? How long did the convention last? A. The convention, I think, lasted a week or ten days.

Q. You say from Cleveland you went to New York. About when was that? A. That was about three or four weeks after the adjournment of the convention.

Q. Did you have occasion to meet with Eisler again in New York? A. Yes.

Q. When? Do you recall? A. I think the last time I met him was in July.

Q. Of 1934? A. Of 1934.

Q. Did you have a conversation with him at that time? A. Yes.

Q. Do you recall the substance of your conversation with Eisler then? A. The conversation related to the text of the statement I was supposed to make for publication, repudiating my views, and endorsing the views of the Political Bureau of the Party. 3194

Q. How many times did you meet with Eisler, in New York, in July of 1934? A. I believe twice.

Q. Can you recall where these meetings were held? A. One was held in a park, on the lower west side of New York—I don't recall the name of the park—and the other one was held, I believe, in Foster's apartment in the Bronx.

Q. At which meeting did you discuss the statement which you were supposed to make? The meeting in the park or the meeting in Foster's apartment? A. At both.

Q. Which came first? A. At both.

Q. Which meeting came first, the one in the park or the one in Foster's apartment? A. The one in Foster's apartment. I may be mistaken and that meeting was at somebody else's apartment, I don't recall. But one was on the inside, and the other one was in a park.

Q. You discussed, you say, the text of your statement. Did Eisler agree on the text of your statement? A. No. 3195

Q. Then what happened? A. Well, there was one more effort to make me agree to the text of a statement by Foster, at Foster's apartment, and since no agreement was reached, I subsequently turned in my Party book, together with a number of others that quit at the same time with me, and the next thing I saw was about a half-page statement in the Daily Worker expelling me and several others.

Q. From the Party? A. From the Party.

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3197 Q. Mr. Kornfeder, do you know an Alexander Trachtenburg? A. I do.

Q. Do you know what position he held during the period of your membership in the Communist Party? A. He was the head of a publishing outfit known as International Publishers. 3198

Q. Do you know how he obtained that position? A. Yes.

Q. Will you tell us how?

Mr. Abt: We ought to have how he knows, Mr. Chairman.

Mr. Lenvin: I don't mind asking him that question, Mr. Chairman.

Mr. LaFollette: All right.

By Mr. Lenvin:

Q. How do you know how he obtained the position with International Publishers? A. I know it from Moscow. He was made the representative of the Soviet publishing establishment, which had branches in various countries, and in this country it was known as the International Publishers. The decision as to who that should be was made from Moscow in consultation with the Political Bureau in the United States.

Q. While you were a member of the Central Committee of the Communist Party, did you ever learn anything about the operation and finances of International Publishers, Inc.? A. I don't recall anything while I was in the United States.

Q. Then did you learn anything regarding its operation and finances while you were in Moscow?
3199 A. Yes.

Q. What did you learn? A. That the deficits of the International Publishers——

Q. That the what—I am sorry, I didn't hear you. A. That the deficits of International Publishers were made good by the Soviet Publishing House.

Q. Either while a member of the Central Committee of the Communist Party or while you were in Moscow, did you learn anything regarding the operation and function of the Workers Library Publishing Company? A. Yes.

Q. What did you learn? A. Workers Library Publishers was a pseudonym for the agitation and propaganda department of the Communist Party.

Q. Was it a self-sustaining operation? A. Yes, it was a Party operation entirely.

Q. Financed wholly by the sale of its publications? A. It was partly financed by the sale, and mostly by the Central Committee of the Communist Party.

Q. What is the distinction, if any, between the International Publishers Company and the Workers Library Publishing Company ? A. Well, the main distinction is that
the International Publishers publishes the more sub-
3200 stantial books used in the communist movement, like
the works of Lenin, Stalin, and others, for the theoretical education of the Party members and sympathizers; and the Workers Library Publishers publishes the smaller stuff, small pamphlets, a nickle, a dime, or thereabouts, in order to reach the strata that would not read heavy literature.

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3204 Q. Did you learn of any subsidies for special activities coming from Moscow, during your attendance
at any Central Committee meetings of the Commu-
3205 nist Party? A. No, those subsidies would not be
reported at Central Committee meetings.

Q. Now, you did testify that the Party was financed, in part at least, by subsidies from Moscow? A. Yes, sir.

Q. Is that correct? A. Yes.

Q. Now I ask you, where did you get that information? A. Well, I have the information as to the subsidies from my membership in the Anglo-American Secretariat of the Communist International, and of the Profintern, and from attending meetings of the Secretariat of the Communist International, and the appropriation commission of the International, when it dealt with American affairs, and from the organization department of the Communist International, and the agitation and propaganda department of the Communist International, each of which at one time or another had as a subject, recommendation as to subsidizing certain activities which then would be cleared by the commission which made the final authorization on it.

I was privileged to attend some of these, because I was recognized in the Communist International, as the representative of a faction in the Party which was in favor, at the time, in Moscow. That is how I happen to know about subsidies for the Daily Worker, for activities amongst 3206 the railroads, for activities in the maritime field, and various other fields.

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Q. In relation to your answer as to subsidization for special activities, Mr. Kornfeder, did you learn, either while you were a member of the Central Committee, or while you were attending the Central Committee meetings, or while you were in Moscow, whether there ever was a subsidy for the Daily Worker? A. Yes.

3207 Q. Do you know the amount?

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3208 The Witness: The subsidy in 1929 was 30 per cent of the Daily Worker's cost of publication and distribution.

By Mr. Lenvin:

Q. Do you know of a publication known as the "Jewish Freiheit?" A. Yes, sir.

Q. What do you know about that publication? A. Well, it is a daily Jewish paper of the Communist Party.

Q. Do you know whether that paper ever received any subsidy from the Communist International? A. Yes.

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3210 Q. How do you know that a subsidy was received by the Jewish Freiheit?

Mr. LaFollette: At the time of its foundation, I think was his testimony.

The Witness: Yes. The subsidies received by the Freiheit at the time of its foundation, I knew at the time it was received because at one time, in the very early stages, subsidies from Moscow were reported. At that time the Central Committee was a very small one.

Later on they were not reported.

The subsidy about the Freiheit I know specifically from Alexander Bittelman, and when I did get to Moscow, my knowledge about it was confirmed there from additional information.

3211 Mr. LaFollette: From what information?

The Witness: About the subsidy.

Mr. LaFollette: Yes, was confirmed by what information?

The Witness: Was confirmed by information in the Communist International.

Mr. LaFollette: I see. Was that information, information in writing that you saw, or how did that confirming information come to you?

The Witness: No, it comes from those that handled the assignment of subsidies for various activities in the Communist Party in the United States.

Losovsky knew about it.

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Q. Did you ever have a conversation regarding the subsidy either to the Daily Worker or to the Freiheit with leaders of the Communist Party?

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3212 The Witness: As to the Freiheit, I only know the subsidy at the very beginning. I don't recall anything past that.

As to the Daily Worker, I know the Daily Worker was subsidized continuously, since its foundation. I know it from Moscow, I know it from Browder, I know it
3213 from Foster—the Daily Worker would have been out of business a long time ago without the subsidies from Moscow.

Mr. LaFollette: And this is during the period of your membership in the Party? Is that the extent of this information?

The Witness: Yes.

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3220 Q. Mr. Kornfeder, on Thursday, you had been mentioning several times "Comintern" and "Communist International."

Will you tell the Panel just what is the Communist International?

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3221 A. The Communist International is the worldwide organization of all the Communist Parties in various countries. Its headquarters are located in Moscow.

Q. When you were in Moscow during the years 1927 to 1930, did you learn anything regarding the organizational set-up of the Communist International? A. Oh, yes.

Q. Will you tell us the organizational set-up of the Communist International? A. The organization set-up is providing various departments, secretariats, bureaus and commissions. There are certain basic departments like organization department, agitation and propaganda department, youth department.

These departments have interlinked with corresponding departments in the various communist parties.

Then there is secretariats. The secretariats are to supervise the policies of the various communist parties; for instance, there is an Anglo-American Secretariat, a Latin-
American Secretariat, a Far East Secretariat, and
3222 West European Secretariat, and so on.

Then there are field bureaus outside of Moscow which directly interlink with the Moscow headquarters, such as the Caribbean bureau of the Comintern, the Pan-Pacific bureau of the Comintern, the South American bureau of the Comintern. These bureaus direct the Communist Parties on a continental or semi-continental scale.

This, in the main, is the inner structure of the Communist International headquarters in Moscow. This is where departments and bureaus have jurisdiction over the same departments from the various Communist Parties. That is, the organization department of the Communist International designs the organization strategy and its tactics for the Communist Parties and transmits them through the organization department, let's say, of the Communist Party of the United States.

The same with the agitation, propaganda department and the other departments. There is the activities specialized along certain fields.

That, in brief, would explain the internal set-up.

Q. You mentioned several of what you called "field bureaus." You mentioned several geographical areas of field bureaus.

Is there a North American field bureau of the Communist International?

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3223 Q. When you learned of the international set-up of the Communist International, was there a North American Bureau, similar to the South American Bureau, the Latin-American Bureau, one of that type? A. No, there was no North American Bureau, but the Political Bureau of the Communist Party of the United States for a time acted in that capacity.

Q. For what parties? A. For the parties in Canada, Cuba, Mexico and smaller groups down to the Panama Canal.

Q. Were you ever in the building which houses the Communist International? A. Yes, I was there many times.

Q. How large a building would you say it was? A. Oh, it was the size of the old State Department Building here in Washington.

Q. About how many employees, would you say, were working in that building? A. About 1200.

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3224 Q. Were you ever taken on tours through the building houses of the Communist International? A. Oh, yes.

Q. By whom? A. Well, I had the standing pass of entry and went through the floors many times on business. I was also shown through it by the head of the Anglo-American Secretariat.

Q. Did you ever talk with any of the leaders of the Communist International regarding their finances? A. Yes.

Q. From those conversations, did you learn how the Communist International was financed? A. Yes, I did.

3225 Q. How was the Communist International
financed? A. The Communist International was
financed in two ways: One, by the Communist Party of the Soviet Union, that is as far as disbursements in rubles were concerned; and by the Soviet Government as far as foreign currency, payment of subsidies were concerned.

Q. During the years that you were in Moscow, did you continue your membership in the Party in the United States? A. No. I was transferred into, after six months, into membership of the Communist Party of the Soviet Union.

Q. Were there any special assessments made upon you as a member of the Communist Party of the Soviet Union? A. Yes. There was a Communist International assessment that the members of the Communist Party of the Soviet Union had to pay.

Q. You stated earlier that the Communist International employed approximately so many hundreds of people. How were these people paid, by whom? A. The employees in the building were paid through the organization department of the Communist International, who handled the finances. That is where they got their weekly pay in rubles.

Those that worked for the Communist International outside had to be paid in foreign currency, either dollars,
sterlings, marks or francs, and they were paid
3226 usually through the various field bureaus of the
Communist International.

Q. During your stay in Moscow, Mr. Kornfeder, did you pay your own expenses? A. No.

Q. How did you support yourself while you were in Moscow? A. Well, the Lenin School provided all the necessities as far as accommodations, food, dormitories, and so on, plus each trainee got 54 rubles a month for incidental expenses.

Mr. Lenvin: Now, I apologize to the Panel, but we find it necessary to go back to about 1919 because the Attorney General wishes to make clear to the Panel and on the record the various steps leading to the emergence of the Communist Party.

Mr. LaFollette: I want to clear up something before you go back to that period.

I think you answered Mr. Lenvin that for a period of time during which you were in the Party, the Political Bureau of the Communist Party of the United States served as the North American Bureau. Can you tell me as definitely as you can, what was that period of time in years?

The Witness: From the early 20's, about 1921, until 1932.

Mr. LaFollette: Thank you.

Mr. Lenvin: May I ask one other question in regard to that, please, Mr. Chairman?

3227 Mr. LaFollette: Yes.

By Mr. Lenvin:

Q. What happened after 1932? A. Well, there was set up a Caribbean bureau of the Comintern, which took over the supervision of all the countries south of the Rio Grande down to the Panama Canal and the Canadian Communist Party before that became autonomists of the American Communist Party and was under direct supervision from the Moscow headquarters and the Anglo-American Secretariat of the Communist International.

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3246 Q. Mr. Kornfeder, during your years of membership in the Communist Party, what use was made of this document in the Communist Party?

3247 Mr. LaFollette: This is Exhibit 8 now?

Mr. Lenvin: This is Exhibit 8.

The Witness: This was a basic document, to which references were made very often and we were told in the Central Committee that Lenin, himself, had made the draft for this document, at the Second Congress.

It was used continuously and was available to the membership in the Communist Party for quotations, references and so on.

By Mr. Lenvin:

Q. It was considered an important document? A. Yes.

Mr. LaFollette: By whom were you told these facts which you related while you were in this position in the Party?

The Witness: By the then delegate who had returned from the Second Congress, which was Louis Fraina.

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3250 Q. What was the status of the Communist Party
3251 in 1921 after its convention at which it adopted that name? A. In 1921 the Communist Party was still the underground organization.

Q. What do you mean by an underground organization? A. Well, the Party did not function in the open. It carried on its business in secret meetings. We did not have any open headquarters. It did not publish its official organ for free distribution in public and so on and so forth.

Q. How long did it continue as an underground organiztion? A. It continued as an underground organization until, oh, about the end of 1922.

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Q. Mr. Kornfeder, did you ever know of an organization known as the Worker's Party? A. Yes, I did.

3252 Q. When was it formed? A. The Workers Party was formed at a convention held in New York towards the end of 1921.

Q. Were you present at that Convention? A. Yes. I was a delegate.

Q. Will you tell the Panel the background and circumstances leading up to the formation of the Workers Party?

A. The Workers Party was formed as a result of instructions from the Communist International, ordering the Party to emerge into the open. In the letter addressed by the Communist International to the Party, at the time it was pointed out that in the Communist International the Party could carry on its activities in public and it is not necessary to continue to function as a strictly underground organization in this country. So as a result of that, this convention which led to the formation of the Worker's Party was organized.

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3253 Q. Mr. Kornfeder, did the two parties exist side by side? A. Yes, they did.

Q. How were they distinguished? A. The underground Party, who controls the legal Party, was called No. 1 in Party language and the open Party was called No. 2. It was thus referred to in all communications and references of the underground Communists and on other occasions.

Q. How long did this state of affairs continue? A. It continued until the end of 1922 or the early part of 1923.

Q. What happened then? A. Then the No. 1, the underground, by instructions by the Communist International, was completely liquidated as a Party and only what they called an underground apparatus remained, not the Party.

Q. Did the Workers Party continue in existence?
3254 A. The Workers Party then became the Communist Party.

Q. What was its title? A. At the first convention in 1921 it was called the Workers Party. Then at a subsequent convention a few years later the name was slightly changed by putting the word "Communist" in brackets between "Workers" and "Party" so that it read "Workers [Communist] Party."

Q. How long did that continue, the name of "Workers [Communist] Party?" A. That continued, I believe, until 1925.

Q. What happened then? A. Then the word "Workers" was dropped and it became the Communist Party.

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3262 Q. During your membership in the Communist Party, were you required to read the Daily Worker, The Communist, and other official papers of the Communist Party? A. Yes.

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3265 Q. You have testified previously that the Communist Party has from time to time received certain instructions and directions from the Communist International.

Now, I ask you, do you know of any instance when the Communist Party ever deviated from or refused to comply with such direction?

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3266 The Witness: I know of no instance where the Communist Party deviated from the instructions of the Communist International and those instances where there was a tendency to deviate, in each case, the leaders of the Communist Party here were either expelled or removed from leadership.

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3279 Q. Mr. Kornfeder, during your stay in Moscow, did you come to know who were the leaders or the heads of the Communist International? A. Yes, I did.

Q. Will you state it, please? A. Well, the first head of the Communist International was Nikoli Lenin.

Mr. Abt: Just a moment, Mr. Chairman. If we are going to have this, let's have it by dates. I don't know whether the witness is talking about when he was there, before he was there, or after he was there, or what.

Mr. LaFollette: I think it would be better as you testify as to who were the heads, if you identify the period to which you are referring. Proceed.

The Witness: Nikoli Lenin was the head of the Communist International beginning with 1919 and 1920.
3280 He was followed by Gregory Zinoviev.

This was from 1920 to 1924, and then Nikoli Bukharin, that was from 1924 to 1928, and from 1929 to the time I left, it was Molotov.

By Mr. Lenvin:

Q. Did Lenin, at the time he was head of the Communist International, hold any position within the Communist Party of the Soviet Union? A. Yes, he was the head of the Political Bureau and the Central Committee of the Communist Party of the Soviet Union.

Q. Did Zinoviev, when he was head of the Communist International, hold any position in the Communist Party of the Soviet Union? A. Yes, he was a member of the Central Committee, and Molotov was head of the Politburo of the Communist Party of the Soviet Union.

Q. When Bukharin was head of the Communist International, did he hold a position in the Communist Party of the Soviet Union? A. Yes, he was also a member of the Central Committee of the Communist Party of the Soviet Union and the Political Bureau of the same party.

Q. When Molotov was head of the Communist International, did he hold any position in the Communist Party of the Soviet Union? A. Yes. Molotov was, also, a member of the Political Bureau and the Central Committee
3281 of the Communist Party of the Soviet Union.

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Q. What was the relationship of the Communist Party of the Soviet Union, if any, to the Communist International? A. The relationship of the Communist Party of the Soviet Union to the Communist International was one of a leading party. That is the Communist Party of the Soviet Union was recognized as the leading party in the Communist International. None of the affairs of the Communist Party of the Soviet Union were ever considered for decision by any of the bodies of the Communist International.

Its affairs did not come for determination before
3282 any of the departments of the Communist International except such as the Politburo of the Communist Party of the Soviet Union may care of its own will

to submit for endorsement to the Executive Committee of the Communist International.

That was the special relation of the Communist Party of the Soviet Union within the Communist International. It was the leader of it, not subject to the Communist International orders or discipline.

Q. Was there any other Communist Party in the world, as far as you know, that would hold a similar position or have similar status as the Communist Party of the Soviet Union? A. No.

Q. Did you know a man by the name of Manuilsky? A. Yes, I do, indeed.

Q. Who was he? A. Manuilsky was the Secretary of the Executive Committee of the Communist International and the representative of the Politburo of the Communist Party of the Soviet Union on the Executive Committee of the Communist International.

Q. Do you know what position he holds today? A. Yes.

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3285 Q. Mr. Kornfeder, when you were a member of the Communist Party, did you know Jack—sometimes I think you used the name Jacob Stachel? A. Yes, I do indeed.

Q. Was he a member of the Party when you were
3286 in the Party? A. He was a member of the Party
and a member of the Central Committee of the
Communist Party.

Q. And when you were in the Communist Party, did you know William Foster? A. Yes, I did. He is now Chairman of the Communist Party.

Q. Do you know what position he held approximately during the 1930's?

Mr. Abt: Just a moment. What period are you asking about?

Mr. Lenvin: In the early 1930's during his membership.

Mr. Abt: Prior to 1934?

Mr. Lenvin: Yes.

The Witness: He was a member of the Central Committee of the Communist Party and its Politburo and in charge of the Communist Party's Labor Union activities nationally.

By Mr. Lenvin:

Q. Was he ever in Moscow? A. Yes, he was.

Q. Did you know Alexander Bittelman? A. Yes, I know Alexander Bittelman.

Q. Was he ever in Moscow? A. Yes, he was in Moscow. I met him there.

3287 Q. Can you tell me what positions, if any, he may have held within the Communist Party during the period from 1930 to 1934? A. He was a member of the Central Committee of the Communist Party and a member of the Politburo.

Q. Do you know a man by the name of Williamson? A. John E. Williamson? Yes, I know him.

Q. Who was he during that period, 1930 to 1934? A. I became acquainted with him mostly when he was District Organizer of the Communist Party in Ohio.

Q. Was that during the time that you have testified that you were in Ohio as an official of the Communist Party? A. That is right.

Q. Do you know Carl Winter? A. Yes, I know Carl Winter.

Q. Did you know him in the years 1930-1934? A. Yes, I did.

Q. Do you know what position he held within the Communist Party, if any? A. He was one of the leading members of the Party. What position he exactly held then, I don't recall at this moment.

Q. Do you know John Gates? A. Yes, I know John Gates.

3288 Q. Do you know what position, if any, he held within the Party during the years 1930-1934? A. He was a leading member of the Communist Party and formerly a leader of the Young Communist League.

Q. Do you know Irving Potash? A. Yes, I know Irving Potash.

Q. Do you know what position he held in the Communist Party during the course of your membership? A. Yes. He was at that time a member of the District Committee of the Communist Party in the York District and one of the leaders of Communist Parties working in Labor Unions.

Q. Did he ever go to Moscow? A. Yes.

Q. How do you know? A. I arranged for him going there.

Q. Do you know Gus Hall? A. I know Gus Hall as a Party member. I don't recall what office he held at the time.

Q. Do you know Henry Winston? A. No, I don't think so.

Q. Do you know Claudia Jones? A. Yes.

Q. Will you tell us who she was? A. She was a Party member engaged in activities amongst the Negroes.

Q. Do you know Claude Lightfoot? A. Yes, I know Claude Lightfoot.

3289 He was in the Lenin School at the same time as I was.

Q. I am sorry, I didn't get the last of you reply. A. He was in the Lenin School at the same time as I was.

Q. Did you know Bill Schneiderman? A. Yes, I know Bill Schneiderman.

Q. Who was he? A. He was a member of the Party. What office he held at the time, I don't recall.

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3290 Cross examination.

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3428 Mr. LaFollette: Will you ask him the question again, and it will be very helpful to me, Mr. Witness, if you will just answer the question.

The Witness: Yes, Mr. Chairman, if this individual asks me——

Mr. LaFollette: Will you keep still?

The Witness: Well, I can't.

Mr. LaFollette: Will you answer the question that is asked you? Please ask him the question.

The Witness: I can't answer when I am bludgeoned.

Mr. Lenvin: May I address some remarks to the witness?

Mr. LaFollette: I wish you would take him out and admonish him.

3429 The Witness: I will not reappear here again.

Mr. LaFollette: That is very interesting. I find myself in the position where I am not sure that I can do anything about a contumacious witness. I am entitled to do something about a contumacious counsel. I am not even sure of just what support I would get.

Mr. Paisley: Mr. Chairman——

Mr. LaFollette: I am not charging you. Go ahead.

Mr. Paisley: May I suggest a recess, a cooling off period?

Mr. LaFollette: I think it would be an excellent time to have a cooling off period at which time, perhaps, some explanation would be given to this witness that he is to answer questions and it is the province of this Panel to determine what implication is to be put on them.

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Mr. Lenvin: Mr. Chairman, the witness has asked me to state that he did not intend any discourtesy towards the Chairman in his answer, but that his feelings had been exicited and exasperated by the charges made by counsel for the Respondent as to his having committed certain crimes, but he did not intend any discourtesy to the Chairman.

Mr. LaFollette: Mr. Witness, the statement made through your counsel is accepted.

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3442 Mr. LaFollette: I think that objection is a proper one. He can get right down to it and ask him how much money he has made by testifying for the Government. That is about as far as it goes.

There is another matter, before I hear these legal arguments.

Mr. Kornfeder, I want to say to you again that you are a witness in this proceeding, not a lawyer. You asked me something. I am considering whether or not your request will be made. I have no objection to that. I do not consider it orderly or proper or within the province of 3443 a witness to address himself to opposing counsel and I am admonishing you again for doing it and I want the record to show that at this time, when this occasion occurred, Mr. Marcantonio, Counsel for Respondent, was addressing the Panel in an ordinary tone of voice, was addressing no remarks to counsel, and there is no occasion whatsoever or an excuse to be offered for this continued injection by the witness of his own arguments with Counsel and if we cannot proceed without this, either the Presiding Member of this Panel is going to retire or the witness is going to retire.

The Witness: I am quite willing.

Mr. LaFollette: I shall ask the Board to authorize me, on that remark, to request a citation of contempt of this witness, unless there is an apology made within two minutes by him personally, not through Counsel. It is now one minute after 12 o'clock.

The Witness: If you tell me why I should make an apology, I will make one.

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3444 Mr. Paisley: Mr. Chairman, I would like to say this, that I am satisfied that the witness meant no disrespect to this Panel. I think he has been provoked and aggravated, but I am sure he meant no disrespect to this Panel.

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3446 Mr. LaFollette: I am going to make a statement. Any member of the Panel, when I have finished, is free to register his dissent and is requested to do so for the record.

It is my opinion that we cannot conduct an orderly hearing in this case unless a witness obeys implicitly the direction of the Presiding Member of the Panel; that this includes a continuation, by any witness, of conduct which is contrary to that about which he has been admonished by the Presiding Member of this Panel, on behalf of the Panel; that it is my opinion that the conduct of this witness, after we reconvened this morning and after an apology had been stated for him through his counsel and had been accepted, evidenced a determination on the part of this witness to continue the conduct about which he had been admonished and about which unquestionably he had been admonished by his counsel.

That question of whether this Panel may have available to it processes necessary to obtain a citation for contempt is a matter for the Board to determine. That issue
3447 is not now before us.

It is my opinion that the Board has the power, in the case of continued conduct which clearly disrupts the orderly conduct of the hearing, which violates an admonition of the Presiding Member of the Panel not to repeat certain conduct, which has the effect of preventing and disturbing an orderly conduct of these proceedings as the Presiding Member of the Panel construes such proper conduct to be, to authorize this Panel, in the case of this witness from now on or any other witness who may appear for the Petitioner or the Respondent and request the witness, to request that the witness be removed from the hearing room by the marshal and to order the testimony of that witness stricken from the record.

We will leave it the responsibility of Counsel to control the conduct of their witnesses. If the Panel so acts and does so order the testimony stricken, the right will be reserved to the Party, as to which the witness has testified against, and as to which his testimony has been stricken, to petition the Panel for the right to permit the witness to again return to the witness stand and for a reversal of the Panel's ruling that the witness' testimony shall be stricken from the record.

That is all I have to say. If any other member of the Panel would like to dictate a record, he may do so.

Miss McHale: I concur with that statement.

3448 Mr. Brown: Of course, I agree that orderly procedure must be maintained in the hearing room at all times, however, having considered this matter in the light of all the circumstances surrounding the incidents to which Mr. LaFollette refers, I am not able to share the views which he has expressed with regard to the conduct of this witness.

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3483 Mr. LaFollette: With reference to the written material submitted to the Presiding Member of the Panel by Mr. Abt on behalf of the Respondents with reference to the positions held by Mr. Manuilsky, this material, if you wish, Mr. Abt, may be marked for identification at this time.

The offer at this time will be rejected.

Out of deference to the admonition given to the Presiding Officer of the Panel by Mr. Paisley yesterday, I will not say anything about the reasons for it.

(The document referred to was marked for identification Respondent's Exhibit CP 6)

Mr. Abt: I think we are entitled to know the grounds.

Mr. LaFollette: I am very sorry. I think I must confine myself to conduct which is pleasing to the Petitioner's counsel and which is concurred in by a member of the Panel, Mr. Brown.

Mr. Abt: I would simply like the record to show, Mr. Chairman, that the failure of the Panel to state the ground on which it is rejecting the offer places the Respondent in quite an impossible position. We don't know whether the Panel is rejecting the offer on the grounds that no 3484 foundation has been laid to show and establish the authenticity of the information submitted.

If that is the ground for its rejection, then we will simply have to use our ingenuity to find ways of authenticating it.

If there is some other ground of objection that can be cured by establishing the authenticity of the information, then if we believe it is important to put this matter in evidence, and we do, we will have to find some other way of doing it, but we would be playing a guessing game here unless there is at least a brief statement of the grounds on which the offer is being rejected.

Mr. LaFollette: I have nothing more to say, Mr. Abt.

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3486 I have also reached a conclusion with reference to my role in these proceedings.

I have reviewed the record of yesterday and I recall vividly the facts which occurred in the hearing room yesterday, particularly yesterday afternoon, from which I have reached the conclusion that while it is a matter which does not rise to the dignity of contempt, there is very evidently a disdain for the Presiding Member of this Panel and his method of conducting this case on behalf of the Chief Counsel for the Petitioners, which quite evidently is being transmitted to the Petitioner's witnesses.

Much has been written about the difficulty of Judge Medina in conducting an orderly hearing. It must be remembered that factual action of witnesses there which was judged to be contumacious and of counsel was by people on behalf of whom there was no public opinion or public support.

In this proceeding, also factually, we recognize, or I do, that there is great public support for anything which the petitioner here proposes, which makes it impossible for me, notwithstanding the stalwart support which I received from my colleague, Dr. McHale, yesterday, to feel that I can conduct these hearings in a way which will be consistent with orderly procedure.

I do not believe that I will be able to exercise any control over any witnesses submitted by the petitioner and

3487 I think if I cease to exercise the prerogatives of presiding we will have a much more orderly process and there will be no delays by any statements made by the Presiding Officer, which seems to be so offensive.

Also, we will have a speedier hearing, I am sure, because the Panel Member, Mr. Brown, whom I have asked to preside from now on, has already evidenced the remarkable capacity to make speedy and immediate rulings upon all objections presented to this Panel.

The fact that they almost uniformly amount to a sustaining of any position taken by the Petitioner and a rejection of any position taken by the Respondent is purely coincidental, I am sure.

However, I cannot continue to preside in the face of the position, sustained by Petitioner's witnesses, of Petitioner's Chief Counsel, and the obvious concurrences in that position of the member of the Panel who sits on my right, Mr. Brown.

Therefore, I announce that from now on, I will not announce any rulings of the Panel and I request Mr. Brown to take this place.

If he desires to conduct the hearings from the position he now occupies, he may do so.

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3496 Mr. Abt: Mr. Chairman, there are two preliminary matters which we would like to present before we proceed with cross examination.

First, I would like to call the Panel's attention to the fact that as appears now from the record, and particularly the record of the proceedings on May 24, the last sitting of the Panel, the Panel now sits without a chairman, as far as the record is concerned.

Mr. LaFollette: I will dispose of that now Mr. Abt. I will read into the record the following memorandum dated June 1, 1951, Memorandum to Hearing Panel——

"The original hearing Panel, designation dated April 5, 1951, naming Members LaFollette, Brown and McHale as the Panel selected to conduct the current Communist Party hearing, is continued in full force and effect, and such Panel is requested to continue to conduct the current hearing referred to, with Member LaFollette continuing to act as the presiding member of the Panel." Signed, Seth Richardson, Chairman.

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3498 Mr. Marcantonio: I object to any further proceedings in this matter and I base my objection on the language contained on page 1793, by the Chairman of the Panel, 1793 of the hearings, transcript of the hearings, dated May 24, 1951.

Mr. LaFollette: The objection is overruled. You may proceed with your cross examination.

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3543 Q. Did you discuss with him what you were going to say here? A. No. I know Mandel for thirty years. He knows what I know. We don't need to discuss it.

Q. Did you discuss the nature of the Panel before 3544 whom you were appearing? A. I asked——

Mr. LaFollette: I am going to deny that and grant your objection. I don't believe the chair was correct in interrogating Mr. Gitlow on that question. I have done it. I don't retract from that interrogation. But I don't believe we need to continue it. I will stand on that.

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3545 Q. When was the last time that you saw Mr. Mandel? A. The day when this hearing was adjourned, before I left for Detroit.

Q. You went from here to Mr. Mandel's office, or did you phone him first? That was on May 24 when we adjourned, correct? A. Yes.

Q. What did you do, call him up? A. I met him at the cafeteria at the House Building.

Q. Was that by accident or pre-arrangement? A. No, we usually eat there.

Q. Did you have an appointment with him? A. Yes, I called him up.

Q. When did you call him? A. Oh, shortly after this hearing adjourned.

Q. So that you phoned him right after the chairman announced the adjournment until June 4, isn't that
3545-A correct? A. Yes.

Q. You went to a telephone booth outside here and you made a call, isn't that right? A. Yes.

Q. And you called up Mr. Mandel, did you not? A. That is right.

Q. Did you tell him what happened here? A. No, we did not discuss what happened.

Q. You didn't discuss it over the phone at all, as to what happened here that morning?

Mr. Lenvin: He answered.

The Witness: Not over the phone, we did not.

By Mr. Marcantonio:

Q. You did not. And so you made a luncheon appointment with him over the telephone, is that right? A. Yes.

Q. And that is all you said over the telephone, you just had a luncheon appointment with him? A. I told him that the hearing adjourned unusually early and he asked why, and I said, "Well, I can't tell you over the telephone," so I met him later on.

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3547 Q. You met Mr. Mandel at lunch, correct? A. Yes.

Q. Did you discuss what transpired that morning with Mr. Mandel? A. Yes, I told him the hearings were adjourned for ten days and that the chairman threatened to resign as chairman from the Panel.

Q. That is all you told him? A. That was substantially what we talked about.

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3555 Q. Mr. Witness, at any time in your conversations with Mr. Mandel and at any place did you ever discuss the conduct of the Board or the members of the Panel in this case?

Mr. Lenvin: I object. It is wholly irrelevant.

Mr. LaFollette: That objection will be sustained.

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3559 Q. Have you ever given any instructions—you say as a result of what you learned in Moscow you gave lessons here in this country, did you not? A. Yes.

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3708 Q. At page 1560, do you remember being asked this question by Mr. Lenvin:

"Q. In view of Mr. Abt's statement, I ask Mr. Kornfeder if he has ever seen this particular issue of 'The Communist' dated March 1, 1921? A. Yes, I have. This is the official organ of the then completely united Communist Party of America."

Do you recall being asked that question and making that answer? A. Yes.

Q. Then, do you recall Mr. Lenvin saying he didn't have photostats at that time and that before he would introduce it he would show it to the chairman. Then it was marked for identification, and then the Chairman made a ruling on having it marked for identification and a ruling in connection with the photostats and that document that you identified was then admitted into evidence and it became Petitioner's Exhibit 123.

3709 That was the document that you identified as the official organ of the then completely united Communist Party of America, is that correct, Mr. Witness? A. Yes.

Mr. Marcantonio: May I have Petitioner's Exhibit 123?

By Mr. Marcantonio:

Q. Then you recall Mr. Lenvin saying the following:

"Mr. Lenvin: In view of Mr. Abt's previous statement, Mr. Chairman, I will now read from page 2 of this Exhibit, entitled 'Resolutions adopted by C. P. Convention, February, 1921,' sub-heading 'Resolution on Acceptance of the 21 points for affiliation with C. I.

" 'Communist Party of America, Section of the Communist Party of America, assembled in its special convention held in February, 1921, hereby reaffirms its position as an integral part of the Communist International. Special Convention, in conformity with the conditions for admission, adopted by the Second World Congress of the Communist International, and after discussion and due deliberation, endorses and adopts unanimously on roll call vote the 21 points for affiliation with the Communist International as binding upon all the delegates present and for its entire membership without any reservations.' "

3710 Do you recall Mr. Lenvin reading this to the Panel here after you had identified Petitioner's Exhibit 123 as the official organ of the then completely united Communist Party of America? A. I don't recall him reading it. I recall the item.

Q. You recall the item and you recall having identified it as an organ of the then completely united Communist Party of America. Look at it. Tell this Panel if that is an organ of the then completely united Communist Party of America? A. Yes, as far as I know, it is.

Q. You still say that it is? A. Yes.

Q. All right. Now, Mr. Witness, start with the first column on the left, right here, read to the Board this paragraph here, commencing with the word "after." A. "After waiting in vain for the United Communist Party to comply with the mandate of the Communist International to hold a joint convention upon the basis of proportional representation with the Communist Party, in order to effect unity between these two parties, a convention was called by the C. E. C. in compliance with 21 points for affiliation with the Communist International and to revise its program and constitution in conformity with the thesis and statutes of the C. I."

3711 Q. Now, do you still say that this is the organ of the completely united Communist Party, of the then completely united Communist Party of America? A. No, I am in error.

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Redirect Examination

3737 Q. When you applied for a passport in 1927, did you swear falsely? A. Yes.

Q. Why? A. My instructions were to obtain a passport under somebody else's citizenship papers.

Q. Did you make any false statements in your application for a passport when you applied for one in 1930 to go to South America? A. No, not to my knowledge.

Q. Mr. Kornfeder, did you teach at any Communist Party schools? A. Yes.

Q. Can you identify the school and the date when you taught? A. I taught a course in what then was known as the Workers School in New York at the National Party headquarters on the subject of communist labor union tactics and the strategy and, also, on the subject of Leninism.

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3741 Q. What did you teach regarding your course in communist labor union strategy tactics? A. Well, under that course I taught how to organize secretly, instead of unorganized plants, how to form groups inside of labor unions for the purpose of getting control of such labor unions, how to prepare for a strike and how to carry on a strike after a strike is called out. That, in brief, was the substance of that course.

Q. And what did you teach regarding Leninism? A. Leninism, I taught the main doctrines of Lenin which called for the complete and total overthrow of all existing social institutions, the Government, the existing organizations that support the Government, the complete elimination of the present state structure and its substitution by a dictatorship led by the Communist Party.

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3772 **William Odell Nowell**

was called as a witness on behalf of the Petitioner, 3773 and having been duly sworn, was examined and testified as follows:

Direct examination.

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3774 Q. So that you were a member of the Communist Party from approximately the middle of June, 1929, until December of 1936; is that correct? A. That is correct.

Q. Now, at the time that you joined the Communist Party, where were you employed? A. I was employed by the Ford Motor Company.

Q. Where? A. Detroit, Michigan.

3775 Q. And what particular unit or branch of the Communist Party did you join? A. I was assigned to—my recollection is that it was Unit 3, Shop Unit 3, as a Ford shop unit.

Q. Mr. Nowell, what is meant by "shop unit"? A. A shop unit is a group of Communist Party members employed in industry.

Q. At the time that you joined the Party, that is the Communist Party of the United States, did you take an oath or pledge of membership? A. I did.

Q. Do you recall the substance of that pledge? A. Yes, I do.

Q. Will you give us the substance of that pledge, please? A. The substance, as I recall it, is that I would carry out the line of the Communist Party, carry out assignments that were given to me at all times and at all times adhere to the principles of the Communist Party and the Comintern. That is the essence. The exact wording, I am not sure.

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3787 Q. In the organizational structure and in actual practice, in what manner is authority and discipline imposed on the membership of the Communist Party?

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3788 The Witness: All lower committees in the Communist Party are subordinate to the higher committees, therefore, in actual practice authority descends upon the membership from the top.

Q. How far from the top, sir? What is the main organization from which the authority and discipline flows down? A. In the National Party during my membership, the main authority was the Central Committee. Above it stood the Executive Committee of the Communist International which was the top authority.

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3818 Q. Let's get this straight. What does TUUL stand for, sir? A. That is Trade Union Unity League.

Q. And what was the Trade Union Unity League? A. It was a national parent organization affiliated with the Red International Labor Unions in Moscow.

Q. And you say that the Automoble Union, Workers Union, that you belonged to was a member of the TUUL? A. It was.

Q. How do you know that? A. I represented the Auto Workers Union at the founding convention of the TUUL in Cleveland, Ohio, in 1929.

Q. I think you have explained, but I didn't get it straight. What was, rather, the TUEL? A. That was the Trade Union Educational League, a similar national organization, national parent to which various independent Communist-controlled unions were affiliated. It was an organization controlled by the Communist Party.

Q. What instructions, if any, did you receive in connection, as to your duties and the purpose of organizing the TUUL, in substance?

Mr. Abt: The witness has not testified that he did take part in organization the TUUL.

Mr. LaFollette: I think he said he attended the 3819 founding convention of the TUUL. I understood him to say that. Go ahead.

Mr. DeNunzio: That is what I thought.

The Witness: In the early summer of 1929, we received instructions from the Central Committee of the Party to prepare the groundwork for the organization of the TUUL. National organizers were sent out to assist the districts in preparing the groundwork for this convention, which was the founding convention of the TUUL.

There was an elaborate program worked out prior to the convention, which was adopted at the convention and later published. It outlines the entire program of the TUUL. There is too much detail to it to go into it here. The central idea was to organize industrial workers in the basic industries.

Q. What kind of industries? A. In the basic industries.

Q. Very well. A. And to maintain hegemony in these unions and to use them as schools of Communism and as a means of bringing economic pressure and collapsing the National Economy and facilitating, that is in aiding and facilitating the revolution, the proletarian revolution.

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3821 Q. You have stated that the TUUL was affiliated in some way with the Red International. Is that right? A. That is correct.

Q. How do you know that, sir? A. I personally have reported to the Red International of Labor Unions in Moscow for my union and for the TUUL in the Profintern.

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3844 Q. During your membership in the Communist Party, did you join any other organization, in addition to those that you have already testified to, on orders, requests or instructions from any member or officer of the Communist Party of the United States? A. I did.

Q. What other organizations? A. I joined the Workers Educational Association which was in charge of the cultural activities.

Q. Give us the date, please, at what time. A. I joined that association around the latter part of 1929 or first of 1930.

Miss McHale: I didn't get the name of the association.

The Witness: The Workers Educational Association. This association was in charge of the workers camp, an immigration organization operated by the Communist Party.

By Mr. DeNunzio:

Q. A workers camp? A. Yes.

Q. What kind of a camp was that? A. It was a
3845 camp operated for immigrational purposes ostensibly, but was used to bring people closer to the Communist Party, to supply them with entertainment and lectures and various types of recreation.

Q. Where was this camp situated? A. It was located at 12 Mile and Halstead Roads outside of Detroit.

Q. Was that located near or in the City of Detroit? A. Near the City of Detroit.

Q. Now, did you hold any office in the Workers Educational Association camp which brought you in connection with this camp? A. Yes, I did.

Q. What office did you hold? A. I was president of the Workers Educational Association, that is, the Michigan chapter, and Director of Cultural Activities for the workers camp.

Q. As an officer, what were your duties in connection with this camp? A. My duties were to carry out the educational program, arrange lectures, secure speakers, hold forums, prepare campaigns. Generally that covered my work as cultural director.

Q. Did you have occasion to visit the camp? A. I did.

3846 Q. During what period of time? A. Oh, from 1930 up through 1936.

Q. 1930 through 1936? A. Except for about a year and a half when I was away.

Q. How often did you visit that camp, if you recall? A. Almost weekly.

Q. Would it be during the mid-week or weekends, or when during the week? A. Mostly weekends.

Q. On the occasion of your visit at the camp, was there other attendance, other individuals, other people at the camp? A. Yes, there were.

Q. What was their purpose there? A. Well, the larger number were there for recreational purposes. Also quite a number from the communist-controlled organizations were there in addition to cultivate the new-comers for political purposes.

Q. During your visits to this camp, were there any speeches or lectures in connection with any political activities? A. Yes, there were.

Q. Can you give us the nature or the substance of any one of those speeches? A. I don't know whether I recall the specific words——

Q. The nature. A. —of the speech. Most of the 3847 candidates that had been run for office came there and spoke. We frequently had speakers from the national office of the Communist Party, speakers from the communist-controlled trade unions and sometimes outside speakers who were not members of the Communist Party.

Mr. LaFollette: May I interrupt you, Mr. DeNunzio?

Mr. DeNunzio: Yes sir.

Mr. LaFollette: When you say "most of them were political candidates," you mean political candidates of the Communist Party or candidates of any party who might be running in the Detroit area?

The Witness: Just the candidates running on the communist slate.

By Mr. DeNunzio:

Q. Mr. Nowell, on the occasion of your visit to this camp, did you notice any emblems or flags on display at the camp? A. I have seen flags there on occasions.

Q. Are you able to describe to us at this time those flags or emblems that you may have see there? A. We had the American flag, we had the Red flag on some occasions, decorations and some other emblems. I don't recall just the exact nature of them.

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3849 Q. Will you please describe the Red Flag that you saw on occasions at that camp? A. The flag was a solid red background with a hammer and sickle in the center.

Q. A sickle? A. A hammer and sickle in the center.

Q. Do you know of what nation that flag was? A. Yes, I do.

Q. What nation? A. The Soviet Union.

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3860 Q. Mr. Nowell, let me ask you, do you know at whose direction the Red flag was displayed at that camp? A. No, I don't know who was directly responsible, that is the person, but we had what we called an anti-militarist group.

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3861 The Witness: I know who kept the flags and were responsible for putting them up. I was going to say
3862 that an anti-militarist group which the Party maintained was in charge of putting up those flags and I do know who was in charge of that.

Mr. LaFollette: All right. Who was that?

The Witness: I don't know that they put this flag up. I was not there when it was raised.

Mr. LaFollette: Who was in charge of this group?

The Witness: George Sleigh, John Marr, and another active worker in the group was Ed Goldheimer.

Other members of this group—I don't recall all of the names—but I knew them by sight.

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Q. Now, do you know the purpose for displaying the Red flag of Russia at these camps?

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3864 The Witness: I do know the purpose from experience, for the reason that the flag was raised.

By Mr. DeNunzio:

Q. Keep your voice up. A. I say I do know why it was raised.

Mr. LaFollette: How do you know?

The Witness: On my return, before I went to Russia as a delegate in 1929, I carried—that is when I went I carried a flag from my union to the workers of an automobile plant in Moscow. Jeanett Pearl who was National Organizer of the friends of the Soviet Union gave me thorough instructions as to the purpose of this exchange of flags. It was a Red flag with the Auto Workers emblem rather than the hammer and sickle. I brought back a huge flag, almost as large as one of those windows, a red velvet flag with a hammer and sickle in the center. I used that flag at lectures on Russia, so my experience in the exchange of these flags and using the Red flag is that it was used to bring people nearer to the Communist ideology, to make friends for Soviet Russia. In other words, emblem signifies the fatherland of the working class in Communist parlance or Communism as practiced in Soviet Russia, so it was an invitation
3865 for them to come closer to or come into the Communist Party. It was designed to influence them towards Communism.

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3878 Q. Do you know whether or not the Daily Worker was an official organ of the Communist Party? A. Yes, it was the official organ.

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3893 Q. Mr. Nowell, did there come a time when you did arrive in Russia? A. There did.

Q. And after arriving in Russia, what did you do as a delegate? A. I personally, together with the other members of the delegation, went into a conference with the representative from the American Communist Party in Russia.

Q. What was the name of that representative? A. His name was John Ballum.

Q. Is that "u-m" or "a-m?" A. "U-m."

Mr. Abt: "U-m."

By Mr. DeNunzio:

Q. And do you know what Communist body—yes, what Communist body in the United States he represented
3894 at the Communist International? A. He was the representative from the Communist Party of the United States to the Communist International, at least one of them.

Q. On the occasion of this conference of the American delegates with Mr. Ballum, did you discuss anything in connection with trade unions? A. Yes, I did.

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The Witness: He informed me, and that was my first meeting with Mr. Ballum, he informed me that he was a member of the Trade Unions and had represented the TUUL and the old TUEL in the Red International Unions in Moscow.

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Q. Did you meet at that time any other American representatives of the Communist Party in Russia? A. I did.

Q. Can you name any of those for us, that is, in
3895 addition to the members who traveled as U. S. Delegates? A. I met—one may say these are representatives. They were students in the Lenin School, some of whom were serving in the Communist International and on certain bureaus.

I met Harry Haywood, who was serving on the International Negro Bureau of the Communist International. I met William L. Patterson, who was a student in the Lenin School at the time. I met Celia Parinsky from the American Communist Party. She was our interpretor. And several other students from the American Communist Party in the Far Eastern University.

Q. You have mentioned the name of William Patterson. Is that the same William Patterson who is now the National Secretary of the Civil Rights Conference? A. Yes, it is the same Patterson.

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3954 Q. Mr. Nowell, what purpose did that pamphlet serve the members of the Party? A. This pamphlet, being the Thesis and Resolutions of the Seventh Convention, was the prime authority in the program policy and tactical orientation for the period between 1930 and 1934.

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3968 Q. What was the nature of the discussion that you had with Mr. Stachel? A. Well, Stachel began the discussion. He approached me after the convention and told me that it was unfortunate that I had made the kind of speech that I did, that I had been recommended, and was a candidate for the Central Committee of the Party, and they were forced to remove my name because my speech did not conform to the program and policy of the Communist International on the negro question.

3969 He went on to state that his reason for supplying me with the latest point of view of the Comintern, in the series of articles that had appeared before the convention, was that I would not fall into such an error.

I stated to Stachel that I had expressed my honest point of view. Perhaps I was not clear on the question, but I spoke what seemed to me to be the proper orientation towards this question in the so-called black belt, as well as the problems of negroes in the northern states.

That was the gist of the conversation that took place between myself and Stachel.

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3972 Q. I show you what has been marked for identification Petitioner's Exhibit 134——

(The document referred to was marked Petitioner's Exhibit 134 for identification.)

By Mr. DeNunzio:

Q. —I show you what purports to be a bound volume of the publication known as "The Communist" for the period of January through June, 1931, and I direct your attention to the article appearing in the February, 1931, issue of "The Communist," and I further 3973 direct your attention to page 153 of that issue, and ask you whether or not you have seen a similar issue of "The Communist" containing the same article, that is, an article with the identical text? A. Yes, I have seen a similar issue containing this resolution, this same text.

Q. What is the title of that resolution? A. The title is "Resolution on the negro question in the United States."

Q. And will you read the next line, which is in italics? A. The next line reads, "Final text, confirmed by the Political Commission of the E. C. C. I."

Q. And as a member of the Communist Party, what significance did the confirmation by the Political Commission of the E. C. C. I. have to you? A. That confirmation meant to me that the Executive Committee of the Communist International passed this resolution.

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3974 Q. Mr. Nowell, was there any difference in the
3975 theory expressed in the second resolution, from the
theory expressed in the first resolution?

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3977 The Witness: There is no difference in the fundamental theory. That is, that the negroes in the Black Belt of the south constitute a nation, but the second resolution goes much further and is critical of a certain, what we learned to be, incompleteness of the first resolution, and the use of terminology which the latter resolution deems misleading, and basically, theoretically erroneous.

That one word I want to refer to is "race." The
3978 Comintern became very critical of the use of that
term in theorizing on the negro question, following the Fourth Congress of the Communist International.

The resolution, here, which I studied and taught, states that the negro question, in the United States, is a national question, rather than a race question, that the basis of this question is the agrarian problem—that is the problem of agriculture, of backwardness and medieval remnants in agriculture, and the exploitation of these remnants, as the resolution indicates, by finance capital.

Thus it contends that in the basis for its strategy, in dealing with this problem in the south, must involve tactics applicable to the agrarian revolution.

Therefore, the negroes having certain economic conditions in common, and a certain territory in common, where it is said that they constitute a majority, a certain culture in common, and of similar racial origin, which has resulted in their being more or less delineated as a separate group, has produced, the resolution contends, the basic characteristics of nationality as opposed to race.

Therefore, the second resolution rejects the designation of race, as basic, in the analysis and treatment of the question.

It also plays down industrialization in the South which the previous resolution emphasizes, and on which later

3979 the Party split with Jay Lovestone and others, the latter of whom held the theory that industrialization would liquidate the backward areas of the South, indicating that the problem there could be solved after a democratic fashion rather than through rebellion and revolution. At least the Comintern read that into it.

The third difference is that while the first revolution puts forward the demand for self-determination, it does not specifically state that the Communist Party shall demand, or demands, self-determination up to the point of separation, unconditionally.

This resolution, the last one, demands unconditional autonomy—separation, or secession, and the establishment of a separate negro government in the Black Belt of the South.

However, it, as the former resolution, but in a manner more elaborate, states that in case this rebellion should occur as a part of the Proletariat revolution and self-determination should be achieved as a result of this whole process, and the conclusion of such a rebellion and revolution should establish a Soviet America, it would be the duty of Communists to urge the negro republic to become a part of Soviet America.

If no such revolution has occurred, that is no such Proletarian revolution has occurred, the Communist Party of the United States shall support the rebellious gov-
3980 ernment of that republic in its opposition to the Government of the United States, destined to weaken the Government of the United States, and aid the Communist Party in the precipitating and executing the Proletarian revolution.

These are essentially the differences in those resolutions.

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Q. Mr. Nowell, are you familiar with the origin of the second resolution? A. I am familiar with it.

Q. Where did it originate? A. That resolution was drawn and passed by the Executive Committee of the Communist International.

Q. How do you know that? A. At the 1930 Plenum, which was held in New York around August, or at least the latter part of 1930, the Central Committee had the resolution.

My recollection is—and I am reasonably certain that my recollection is correct—that it was announced, and discussed the matter personally with Jack Stachel, that the completed text of the resolution had arrived.

This latter resolution took the place of the former,
3981 as a continuation of the line of the Communist International on the negro question in the United States.

I further confirmed the source of this resolution in Moscow, in 1931, when I was a student in the International Leninism School, studied the resolution there as a part of the national and colonial question.

I also discussed it at length with Otto Kuusinen, Secretary of the Communist International, head of the Anglo-American Commission, who edited the resolution.

So from my own experience in dealing with the E. C. C. I., and its members, I know that this resolution was drawn and passed by them, and sent to the American Communist Party, to be carried out.

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Q. During your membership in the Communist Party, was the program for the self-determination of the negroes in the United States ever repudiated or abandoned by the Communist Party of the United States?
3982 A. No, it was not.

Q. During your membership in the Party, were any steps taken by the Communist Party to implement this program? A. Yes, definite organizational steps were taken to implement this program, and execute it in practice.

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3994 Q. Mr. Nowell, you testified earlier that you also made a trip to Russia in 1931, is that correct? A. That is correct.

Q. When, in 1931, did you make the second trip? A. I left the United States in the later part of August, if I remember correctly around August 26, and arrived in Russia in September, the first of September.

Q. What was the reason——

Mr. Marcantonio: I didn't get that.

Mr. DeNunzio: August 26, 1931.

By Mr. DeNunzio:

Q. What was the reason for your second trip? A. I was sent to attend the International Lenin School.

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3996 Q. Did any individual or individuals tell you the purpose of sending you to the Lenin School? A. Yes. Yes, they did.

Q. Who were those individuals, if you remember? A. Ralph Baker, who was then National Organizational Secretary, explained to me why I was being sent, and Earl Browder explained to the students as a group, why they were being sent to the International Lenin School.

Q. What did they say was the reason for you being sent to the Lenin School? A. Browder explained to me, along with——

Q. Who was that? A. Browder.

Q. All right. A. Browder explained to me, along
3997 with others, that we were being sent to the International Lenin School to be trained as professional revolutionarists, as Party leaders, that the revolutionary movement was growing, that the world's economic crisis was intensifying, that revolutionary situations were developing in a number of countries, and that this demanded that the Party pay particular attention to the development of leadership and raising the political and idealogical leadership of its membership to compete with this objective political situation.

He went on further to state that it would be our duty, on our return, to apply what we learned there in the lines of socialism to the condition in the United States for the ultimate overthrow of American capital, the American Government, and the establishment of a Soviet America.

Baker gave more technical instructions. He told me that I particularly was being sent because they thought I needed some clarification on certain questions. That while I had certain qualities that the Party admired and which could be very useful to it, they felt that I would gain a great deal by studying there for a year or a year and a half, and that he wanted me to commend myself to the job they had for me there and try to make the best possible use of my studies.

Q. Did others from your district make the same trip with you? A. Yes, there were several others.

3998 Q. From your district? A. Yes.

Q. Were there students from other districts, if you know? A. Yes, there were students from several other districts, also.

Q. And did you travel in a body? A. We did.

Q. In a group? A. Yes, we traveled on the same boat. In that sense, we traveled in a group.

Q. From what port did you embark to make the trip? A. New York.

Q. And who made the arrangements for your passage to Russia? A. Irvin Potash was placed in charge of arrangements for the delegation, and he did make the arrangements and secured tickets and so on.

Q. Did you pay for your own passage? A. I did not.

Q. Do you know whether or not other members of your group paid for their pasage? A. I don't know definitely, but I am sure they didn't.

Q. Do you know who paid for your passage to Russia? A. I do know that the Central Committee paid our

3999 fares. They dispensed the money for the tickets.

Q. How do you know that? A. I was told, personally mentioned the fact that the expenses, the instructions of the District were, that the Central Committee would pay the expenses of the students.

I was also told again in New York by Baker, and I understand each student was also told the same, that since the Committee was paying our fares, that we were responsible to it in our conduct and in our studies, to make good in our studies abroad.

Q. You mentioned the name Irving Potash. Who was Irving Potash? What position did he hold with the Communist Party? A. Potash at that time was a member of the Central Committee, and of course the Party. He was also a Trade Union leader there in New York, which is not a Party organization directly, and if I remember correctly he was also a member of the Trade Union Commission of the Central Committee, and a member of the National Board, along with me, of the TUUL.

Q. Mr. Nowell, did you testify in the New York trial of the eleven Communists? A. I did.

Q. Was Irving Potash one of the eleven defendants?

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4001 The Witness: Yes, he was.

By Mr. DeNunzio:

Q. And is he the same Potash who made arrangements for your trip to Russia? A. Yes, he is the same person.

Q. Mr. Nowell, do you remember the names of any of the other students who made this trip with you? A. Yes, I remember some of them.

Q. Would you name them, please?

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The Witness: As I recall, Charlie White, George Hewitt, from New York, Sam Nessin, from New York, Beatrice Siskin, Phillip Raymond, John Marr, William Brown—there were approximately 30 in the delegation. Some I know under aliases, and I don't know their correct names.

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4002 Q. Mr. Nowell, was there any member of the Communist Party who was in charge of your group, enroute to Russia? A. Yes, there were.

Q. Was there more than one? A. Yes, there were three, in fact.

Q. Then will you name them, giving their official positions, on the occasion of this trip? A. Potash was in charge. He was the head of the committee in charge. He was assisted by Beatrice Siskin or Beatrice Shields and another member whose name was John Scoven. That is an alias. I have forgotten his correct name.

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4003 Q. Before embarking on the ship, did you receive any instructions from any members or officials of the Communist Party as to your behavior enroute to Russia? A. Yes, we did receive such instructions.

Q. And from whom? A. From Mr. Potash.

Q. And will you give us the nature of those instructions, as to what your behavior should be? A. Well, he instructed us not to use our correct names as he couldn't be sure who was on the boat and he wanted our identity and our destination concealed, as nearly as possible, that in port we should not go out together in large groups—at least not more than two—to beware of strangers, not to talk to strangers 4004 about any political subjects, and to not attend any public meetings, and to come in at a reasonable hour, to be sure not to get embroiled in anything that might make our identity known to the police.

Those were essentially the instructions—oh, and more, not to associate together on the boat, to keep apart as much as possible and not talk with strangers.

Q. And in conformity with those instructions did you use a name other than your own name? A. I recall that I did pick up some sort of a name for the passage. I don't recall just what it was now.

Q. You don't recall which name you used? A. Not on the boat. I recall the name I used later, in Russia, but for the passage I just simply didn't use my own name. I chose some name at random.

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4010 Q. Do you know if the Anglo-American Secretariat was responsible to any higher authority in connection with administering the Lenin School? A. Yes, it was.

Q. To what authority was it responsible? A. It was responsible to the Executive Committee of the Communist International.

4011 Q. How do you know that? A. I knew that from contact with both, in the solution of certain problems that arose in the course of my studies at the International Lenin School.

I worked closely with the Anglo-American Commission throughout the year and four months that I was in the school, and at the conclusion, or near the conclusion of the term, I sat with the Anglo-American Commission and the Political Secretariat of the E. C. C. I., and participated in the drawing of a resolution for the American Communist Party.

This resolution was designed to end the factional situation that had arisen in the Lenin School and in the American Communist Party.

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4014 Q. What subjects were you taught at the Lenin School? A. We were taught Marxism and Leninism, Marxian Economics, history of the labor movement, trade union and strike strategy, history of the Communist International, and its organizational structure, history of the Communist Party of the Soviet Union, history of the American Communist Party, the national and colonial question, international propaganda, and we were taught certain practical subjects.

We studied the structure at first hand of the Soviet system in Russia, its economic structure, and the theory and practice of Soviet economy, both theoretically and practically.

We also studied the science of civil warfare, also a practical subject.

I believe that covers most of the subjects we studied.

Q. As an American student, were you taught any subjects which had special application to the United States? A. Yes, we did study such subjects.

Q. What subjects were those? A. Well, most of our subjects—in fact all, as far as possible—were what the
4015 school heads term "nationalized." Not only did we
study the theory of Marx, Lenin and Stalin, and other Communist leaders, and the program of the Communist International, but we adapted it to the particular conditions of the United States, in accordance with instructions and documents of the Communist International, analyzing the economic and political conditions in the United States.

Hence, in the science of civil warfare we took into account the particular political and economic conditions of the United States, the culture of the people, the terrain, the whole of the history of this country and the history of the Communist Party, and up to the moment political analyses of feelers to determine the degree of political maturity of the revolution in the United States.

Therefore, in this elaborate practical subject, the science of civil warfare, we were taught to adapt that particularly, both politically and militarily, to the conditions prevailing within the United States, with the object of actually destroying the economic system in the States, and establishing the dictatorship of the Proletariat.

Q. Specifically, what were you taught in the course in civil warfare? A. Well, as a continuation of our theoretical studies, most of which in themselves were a science of class warfare, in fact they were a science of class warfare, we
were taught how, in theory and also in practice, to
4016 convert economic strikes into political strikes, and
thence into general strikes, that would lead, if the political conditions were mature, to rebellion and uprisings, and could possibly precipitate the revolution.

In actually carrying out the revolution, we were taught the military details, both in legal warfare, and in guerilla fighting: how to carry through, in the capturing of cities, through the building of barricades, barricade fighting, sniping, hand grenade throwing; we were taught code—secret code—and we were drilled in gas mask drills, target practice, we were taught to sabotage, how to take over the system of transportation, or sever it to make it useless to the legitimate government forces, to seize the food supply to feed the guerilla fighters, and how to deflect, as a continuation of our work started in the armed forces, deflect detachments of the Army to fight with the insurgents and the guerilla fighters, and could combine illegal warfare with legal warfare.

Also, we were taught the value of, and how, to take and hold hostages, capture arsenals and how to arm communist supporters, and to utilize communications system or make it useless for anyone else who wanted to use it, and even controlling or destroying the food supply, the water supply, and whatever proved to be the better tactic in waging total revolution for the capture of power.

4017 These were some of the major tactical measures that we were taught in the science of civil warfare.

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4022 Q. All right, Mr. Nowell. Now, directing your attention to the time in which you were a student in the Lenin School, did any of the subjects which you studied involve the negro question in the United States? A. Yes.

Q. What was the nature of the subject or subjects, concerning the negro question in the United States? A. It was taught as a part of the national and colonial question.

Q. And what were you taught specifically, concerning the program for self-determination of the Negro in the United States?

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4023 The Witness: We were taught, in the International Lenin School, that the Negro question in the United States was a part of the colonial question, differing from the classical colonial problem in some respects, but generally of the same character; that the foundation of the colonial problem was the agrarian problem and imperialist exploitation by the mother countries, mother imperial countries.

Therefore, the basic demand and necessity and struggle of the colonial people, that the communists must lead, was for the right of self-determination, for national independence from the mother countries, and that we were to establish a hegemony over these movement, and to break and to help these colonial countries break themselves away from the mother countries, and thereby to weaken those countries and aid the Proletariat and the Communist Party in those countries to precipitate and carry through with a proletarian revolution and the establishment of a communist dictatorship.

Therefore, the Negro question in the United States—this applied also to the Negro question in the United States, because it was of the same general character as the colonial problem.

4024 Mr. LaFollette: Who taught the course in Russia?

The Witness: There was a Russian instructor who taught that course. I don't recall his name now.

Mr. LaFollette: Proceed, Mr. DeNunzio.

By Mr. DeNunzio:

Q. Did you at any time, during the course involving the negro question, state any views concerning the self-determination program? A. I did state my views on the question.

Q. And were the views which you expressed in classes substantially the same as the ones you had expressed at the seventh communist convention? A. They were essentially the same.

Q. Were you in favor or opposed to the program for the self-determination of the Negro? A. I was opposed to self-determination for the Negroes in the United States.

Q. Did any of the other students in the American section express their views in connection with the negro question? A. Yes, some did. Others sympathized, although they didn't express themselves openly.

Q. Did any of those students hold the same view you have? A. Many of the students of the American Lander group held similar opinions as mine.

Mr. LaFollette: We will rise until 3:15 at this time.

(Recess taken.)

4025 Mr. LaFollette: Come to order, please.

Proceed, Mr. DeNunzio.

By Mr. DeNunzio:

Q. Mr. Nowell, why were you and some of the other students opposed to the program for the Negro question in the United States? A. I can only speak for myself in this case, otherwise it would be hearsay.

I do know why the others said they were opposed to the self-determination, but——

Q. Well, state why you were opposed? A. —but I will just state my own position.

Having studied the Negro problem in the South ever since my youth, being a Southerner myself, I understood it, and I still understand it fairly well.

I studied all of these so-called characteristics of nationality, I compared the Negro question in the United States with that of certain colonial countries, like Jamaica, Africa, China, India, and various other colonial countries, and I found distinct differences, and certain peculiarities about the Negro question in the United States that does not or did not then, nor does now, exist among the colonial peoples.

Major among these is this: that Negroes, even in the southern part of the United States are distributed about among the remainder of the population in a way that

4026 you cannot say that they are in any separate or distinct territory.

Secondly, the culture of American Negroes is basically American. It varies in some respects, but is basically American. Religion, language, more or less common territory, and even economic circumstances are pretty generally the same. The system of land tenure is not only limited to Negroes. It is also true of a large number of white farmers in the South.

Therefore, I did not feel, on the basis of a scientific analysis of this economic problem, and the other so-called national characteristics, or those things that constitute national characteristics, that they were sufficiently prominent to warrant a demand or a movement for separation and secession from the territory of the United States and the establishment of a separate government.

Further, I concluded that the policy of the Communist Party, insisting mechanically on such an end, would lead to the setting up or the attempt to set up a buffer state, almost in a pincher between two major portions of American territory. It would be an antagonistic buffer, constituting a minority, as it does, and used after a revolutionary fashion could do nothing more than provoke racial warfare and bloodshed and national chaos, and would lead to the sacrifice of hundreds of thousands, no doubt, of lives of colored and white Americans in futile combat for
4027 an attempt to achieve some revolutionary end dictated from Soviet Russia.

Mr. LaFollette: Excuse me, may I ask you just one thing? Was your word "feudal" or "futile?"

The Witness: "Futile."

Mr. LaFollette: All right.

The Witness: Therefore, sensing the danger inherent in this sort of strategy, and these tactics, and seeing the way that satellites are used and sacrificed by the Soviet system——

Mr. Abt: Objection, and move to strike, Mr. Chairman.

The Witness: —I could see——

Mr. LaFollette: Objection overruled.

The Witness: —I could see the parallel, between the use of this problem in the South, and the way that I had seen not only individuals but large sections, even of Communist Parties and nations, sacrificed futilely to protect the interests of the Communist hierarchy.

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4029 Q. As a result of your views and expressions concerning the Negro question during your attendance at the Lenin School, was any action taken against you while you were in Russia? A. Yes.

Q. What action was taken?

Mr. LaFollette: Mr. DeNunzio, do I understand that the witness has testified that he stated these views which he has just stated now? That he stated them in Russia?

Mr. DeNunzio: Not these views. His opposition. That was my question.

Mr. LaFollette: All right. Go ahead.

4030 Mr. DeNunzio: That was part of the reason for his opposition.

Mr. LaFollette: Let me ask you, Mr. Nowell. Did you state, to any of your fellow students, or did you state publicly, any of the facts which you have just related in your answer to your next previous question?

The Witness: I did.

Mr. LaFollette: While you were in Russia?

The Witness: I did, in essence.

Mr. LaFollette: All right.

The Witness: Perhaps not in as systematic a fashion as I am stating them here, but in essence I stated them.

Mr. LaFollette: All right. Go ahead, Mr. Witness.

The Witness: I was charged in an indictment and tried, in Russia.

By Mr. DeNunzio:

Q. What was the nature of the charges brought against you? A. I was charged with being in opposition to the line of the Communist International and the Central Committee of the American Communist Party on the Negro question.

Q. And by whom were the charges made? A. The charges were first made by the Bureau of the Lenin School, the Political Bureau, on instructions from and in collaboration with, representatives of the Communist International.

4031 Q. Did any representatives from the Communist Party in America participate in the charges filed against you? A. Yes, sir. Both in the original charge and the elaobration of those charges, and the further hearings occurred after the first hearing or trial.

Q. Now directing your attention to the original charges, what members of the Communist International participated in the charges against you? State their names, if you recall them. A. A. Mangulin, of the Anglo-American Commission participated; Gerhardt Eisler, of the Anglo-American Commission, participated; Clarence Hathway, of the Anglo-American Commission, participated; Mrs. Irene Browder, wife of Earl Browder, participated.

Later, Joseph Piatnitsky himself, Organizational Secretary of the Communist International, participated.

And other members of the Central Committee of the Communist Party of the United States, who came to Russia.

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4032 Q. How many charges were filed against you, Mr. Nowell? A. The original charge was elaborated into a series of at least two other charges, derived from the original charge.

In the first place, I was accused of a theoretical, political error, because of my disagreement with the political theory, practice, and policy of self-determination.

In the second charges, it was developed that I had pursued this so-called erroneous cause to the point where I was organizing factional support of my policy, my point of view.

And in the last analysis, and as a part of this second charge, because a number of other students of the Lenin School supported me, some of whom were colored, and some of whom were white, they charged that I organized
a Negro group in support of my policies, not men-
4033 tioning the fact that a large number of white stu-
dents also supported me, and that this constituted
Nationalism, Negro Nationalism.

So these were the two later charges that were developed out of the original charge.

Q. You say that Clarence Hathway participated in the charges filed against you?

Who was Clarence Hathway? A. Hathway was a representative from the American Communist Party to the Communist International.

Q. What position did he hold in the Communist International? A. He was American representative there, and a member of the Anglo-American Secretariat.

Q. Did Gerhardt Eisler participate in the charges? A. He did.

Q. Was he a representative to the Communist International? A. He was.

Q. Do you know what Communist Party, what nation he represented? A. At that time he represented the Communist Party of Germany.

Q. Do you know whether or not Morris Childs participated in the charges preferred against you? A. He did.

4034 Q. Who was Morris Childs? A. Morris Childs was a member of the Lander Secretariat of the Comintern. He was from the American Communist Party, and at that time was associated with Jack Yteschenko, who was OGPU Chief of Police of the School.

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4035 Q. Do you recall the names of any other representatives to the Communist International who participated in the charges filed against you, besides the ones that you have already mentioned? A. Yes, I do.

Q. Name them, please. A. There was Bill Lawrence.

Q. Bill who? A. Bill Lawrence. That is an alias. I knew him under that alias. Beatrice Siskin. A fellow by the name of Yarris. I have forgotten his first name. Mintz. Professor of Philosophy. Peters.

Q. What is Peters' first name? A. William Peters. That is an alias, but it is one of the aliases he used.

Q. What position did he hold in the Communist Party? A. He succeeded Robert Minor as a representative from the American Communist Party to the Communist International.

Q. Was Robert Minor there at the time? You say he succeeded Robert Minor? A. Yes, he succeeded
4036 Minor, but Minor remained in Moscow.

Q. And what Communist Party did he represent? A. Minor represented the American Communist Party in the Communist International, succeeding Clarence Hathway.

Q. Can you recall any others who participated in the charges filed against you? A. Yes. Amy Schecter of New York, who was——

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The Witness: Overegaard; Otto Huiswood, representative from the American Communist Party to the Red International of Trade Unions; Earl Browder, Secretary of the Communist Party of the United States at that time; Harry Heywood, Member of the Central Committee
4037 of the American Communist Party.

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Q. Did Jack Stachel participate in the charges filed against you? A. Yes, Stachel did participate.

Q. And what part did he take in the charges that were filed against you? A. Stachel, together with Brow-
4038 der, Gerhardt Eisler, and Harry Heywood, prosecuted the charges in a series of trials that were held, to mobilize the student body, which had been split on this issue. They made their speeches within the nature of a

prosecution. That was the type of participation that they took.

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4049 Q. Did you meet any other Russian communists who were representatives to the Communist International whom you later met in the United States? A. Yes, I did.

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4050 The Witness: One was Gerhardt Eisler, whom I had met in Russia in 1931 and 1932.

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4051 Q. Well, did there come a time when you met Gerhardt Eisler in the United States? A. There did.

Q. And when did you meet Eisler in the United States? A. In the summer of 1933.

Q. Where did you meet him in the United States? A. I met him in the Party offices of the Communist Party in Detroit, Michigan.

Q. At the time that you met him, was he using the name of Eisler? A. No, he was not.

Q. What name was he using? A. He was using the alias, Edwards. However, in conversation, since I had known him about——

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4054 Q. Now, directing your attention to the occasion when Earl Browder was in Russia, do you know whether or not he made any speeches before any bodies, other than the discussions which took place concerning the charges filed against you? A. Yes, he did make other speeches. At least one that I know about.

Q. Were you present? A. I was.

Q. Where was the speech made? A. It was made in the Communist International.

Q. Do you recall the nature of that speech? A. I do.

Q. Would you give us the substance of it, as you remember it? A. The speech dealt in substance with the Far

East, as it affected—as a part of the International situation
Browder stated that his report was made for the
Central Committee of the American Communist
4055 Party. He went on to analyze the progress of the
depression in the United States, and generally the
political and economic situation, and related it to the world situation.

Then he dealt at some length with what he called the "crystalization of an axis between Britain, the United States and Japan in the Far East," for the purpose of launching an attack against Soviet Russia.

That constituted the essence of his speech.

Q. Were any of the other American students present at the time when he made this speech? A. Yes, the entire American student body was present, except a few who were out on vacation.

Q. One more question: Do you know whether or not members of the Communist International were present at the time that he made his speech? A. Yes, some were, at least. Joseph Piatnitsky was present, Otto Kuusinen was present, Gerhardt Eisler was present.

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4062 Now, how do you know that this was a report
being made for the Central Committee of the American
Communist Party? A. Browder announced,
4063 when he took the stand in the Communist International,
that he was making this report for the Central
Committee of the Communist Party of the United States, a report which he had previously delivered before the Central Committee in the United States.

Q. On the occasion of this report, and in your presence, did anyone respond to his report? A. Yes, the Communist International, that is Kuusinen and Piatnitsky, and other members of the Executive Committee of the Comintern, had a conference, and they assigned the representative from the British Communist Party to rebut Browder's report, that is certain portions of it considered erroneous by the Executive Committee of the Communist International.

Q. And do you recall the name of the British representative who was chosen to respond to the speech of Mr. Browder? A. I was trying to think of his name. At the moment, I don't. At the moment, I don't recall his name. I know him quite well, but his name slips me.

Q. You don't recall his name? A. For the moment, I don't.

Mr. DeNunzio: May I have this document marked Petitioner's Exhibit 135 for identification?

Mr. LaFollette: It may be so marked.

(The document referred to was marked Petitioner's Exhibit 135 for identification.)

4064 By Mr. DeNunzio:

Q. Mr. Nowell, I am going to show you what has been identified as Petitioner's Exhibit 135, which is a bound copy of the publication known as "The Communist' for the period January through June, 1932, the issue of April, 1932——

Mr. Abt: April or May?

Mr. LaFollette: The photostat is May, Mr. DeNunzio.

Mr. DeNunzio: I am sorry, it is May.

By Mr. DeNunzio:

Q. May, 1932, and I direct your attention to the article appearing on page 392, and ask you whether or not, during your membership in the Communist Party, you have seen a similar copy of "The Communist," containing an article with the identical text as that shown there? A. Yes, I have seen the issue, and the text.

Q. Will you read the title and what follows, before the text itself? A. The title is "Japan, America and the Soviet Union." The subheading reads: "Extracts from the speech of Earl Browder at the Plenum of the Central Committee, April 17, 1932."

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4091 Q. While a student in Russia, did you pay your
4092 own living expenses? A. I did not.

Q. Who paid them? A. They were paid by the Communist International and the Russian Government.

Q. How do you know that? A. Well, we lived on Soviet property, as our dormitories.

Mr. Abt: Pardon?

Mr. LaFollette: As our dormitories.

The Witness: Our dormitories were on Soviet property. They were rent-free.

We ate in the school cafe or dining hall, and that was free. We were paid 50 rubles a month by Soviet citizens. Our traveling expenses were paid by the Russian Government and our expenses were paid by th Communist International and the Russian Government.

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4094 Q. From whom did the fifty rubles a month come, that you received? A. We were paid by the school cashier, in the school's Secret Department.

Mr. Abt: In the School's what?

The Witness: Secret Department.

Mr. LaFollette: Secret Department. The School's Secret Department, S-e-c-r-e-t.

By Mr. DeNunzio:

Q. Did the other students receive the same monthly stipend that you received? A. They did.

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4139 The Witness: Notably, as I testified to yesterday, or as I said in my testimony yesterday, near the conclusion of the term at the Lenin School, I was called into the Anglo-American Commission by Otto Kuusinen, Secretary of the Communist International, to draft a resolution on the American question.

When the draft was completed, we took it to the Political Secretariat of the Executive Committee, and completed it.

4140 The Presidium, including Kuusinen, Manuilsky, Piatnitsky, Losovsky, and others, voted on the resolution in my presence, and instructed the American representative to carry out—to send a copy of this resolution to the Communist Party of the United States, and that this resolution be carried out. In answer to my question that a copy be sent to the Lenin School, and one to the District Committee of the Freunze District, of the Communist Party of Russia, Piatnitsky's answer to me was that "The decisions of the Comintern are binding, and this is why we are here, and I am going to send this document to the America Communist Party and if the Lenin School wants one they can have one."

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4142 Q. On the occasion when you were a student at the
4143 Lenin School in Moscow, were you taught anything concerning the Communist theory of State? A. I was.

Q. Will you state what you were taught? A. I was taught the Leninist concept of the State. In that analysis of a State, as given to us in lectures, it was stated that the state arises as a result of irreconcilable class contradictions in society, and stands as a force in society, designed to force a reconciliation of class contradictions.

The conclusion reached by our instructor—and he frequently referred to the text—was that if such contradictions as he outlined could be reconciled peacefully, there would be no need for the State.

Therefore, he concluded that the State was an instrument of force, designed to force the will of one class on another. This was the elemental and lasting role of the State. Of course, he went on to develop the Communist concept of the State under more modern conditions, under the conditions of what he termed "imperialism," where the state becomes intertwined with—in fact, becomes the executive committee of the capitalist class, the instrument in the hands of the so-called capitalist class to suppress the

working class, to force its will upon the working class, which was exploited in capitalist industry, under
4144 various conditions in capitalist society.

Therefore, his conclusion was that, in order to abolish the capitalist system, it was necessary, firstly, to abolish and destroy, completely, the capitalist state machinery—that is, the armed forces, the executive leaders, the Congress, and the President—all of those who made up the personnel and the other segments of the State, and that this theory of the State was the key to the theory of the dictatorship of the Proletariat, which would replace the capitalist state, and which would destroy the remnants of capitalist economy and establish socialism.

That is generally what I was taught as regards the State —both the capitalistic and the socialistic State.

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4146 Q. During your attendance at the Lenin School, as a student, were you taught anything in connection with the form of Government existing in the United States?

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4147 A. Yes, I was taught that the Government of the United States was no exception to the government of other capitalist states, and in fact, the theory expounded by what the communists termed as such renegades of communism, were completely unfounded—notably, the theory supposedly advanced by Jay Lovestone, and his group, that American capitalism was an exception and was stronger than other capitalist states, and thereby dealing with it would require different tactics.

Our instructor went on to quote from the text of Lenin, "The State And Revolution," wherein he states that British and American capitalism, particularly since the world war—World War I—have entered into—as well as Europe —the bloody days—I don't know whether that is the exact term used or not—the days of imperialism, and also have international imperial ambitions.

These are his words now, in essence, as I continue: that the government of the United States was the executive committee of the capitalist class within the United
4148 States and was subject to the same laws of growth and development and decay as all capital states, and that the proletarian revolution dictatorship of the Proletariat was necessary, and equally as inevitable in the United States as in other capitalist countries, and that it would be our duty, as communists, to work for the overthrow of the Government of the United States and establishment of the dictatorship of the Proletariat, in the form of the Soviet, and under the hegemony of the Communist Party of the United States and the Comintern.

By Mr. DeNunzio:

Q. And were the other students attending classes with you taught the same theory, concerning the Government of the United States? A. They were.

Q. Did you, in turn, teach the same theory in the United States, at the Detroit Workers School? A. I did.

Q. Mr. Nowell——

Mr. LaFollette: Excuse me a minute. Mr. Nowell, were these other students taught matters with reference to the states from which they came, or were they taught also an analysis of theories about the Government of the United States? I am not sure what you meant by your answer.

The Witness: Well, they were taught——

Mr. LaFollette: What I am trying to say is, if
4149 there was someone from France or Brazil, would they be taught about the United States, or would they be taught about Brazil or France? What is your answer, or do you know?

The Witness: I do know that.

Mr. LaFollette: All right.

The Witness: They were taught the role of the State in general, and its inevitable decay, and the necessity for overthrowing it—that is the capitalist state—in all countries, and particularly their own governments. The subjects were nationalized to particularly characterize the conditions existing in particular countries, so that students from France were taught particular political and economic situations in their own country, and the role of their state, as were the American, Canadian, and other students from various countries.

Mr. LaFollette: All right.

By Mr. DeNunzio:

Q. On the occasion when you attended the Lenin School, in Moscow, what were you taught as to the line, the ultimate aim, of the Communist Party, concerning the capitalist and imperialist states?

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The Witness: I was taught that the class struggle prevailed throughout the capitalistic world, and the
4150 contradiction, internal contradictions of these states were sharper. That their policies, internationally, as imperial powers, were becoming more pressing against the colonial people. Therefore, in the face of and in view of these objective conditions, political and economic conditions, that it would be the duty, and the necessary duty, of the Communist Party of the United States, as a part of world communism, to work for the overthrow of these imperial nations, and in the course of preparing the groundwork for that overthrow to cultivate the national revolutionary movements of the colonial countries, and to unite with the movement of the proletariat in their home countries for the complete abolition of imperialism and the capitalist state and the establishment of world socialism.

By Mr. DeNunzio:

Q. And were you taught that that was the line and the ultimate aim of the Party in connection with the Government of the United States? A. I was so taught.

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4151 Q. Were other American students taught the same theory as applied to the United States?

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The Witness: Yes, they were, in my presence, taught the same theory and practice.

By Mr. DeNunzio:

Q. Did you, as a teacher in the workers' school of Detroit, teach these same theories, aims and objectives of the Communist Party? A. I did.

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4176 Q. Mr. Nowell, you stated in your last two answers that you were taught, at the Lenin School, in Moscow, that it was the ultimate aim of the Communist Party to bring about the overthrow of the Government of the United States.

Were you taught how that overthrow was to be accomplished?

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The Witness: Yes, I was.

4177 By Mr. DeNunzio:

Q. How was it to be accomplished? A. It was to be accomplished by the revolutionary overthrow of the American Government, by force and violence.

Q. Was any specific period of time set for the overthrow of the Government of the United States? A. No, no specific time was set. The time was left to the high command, dependent on the maturity of the revolutionary situation.

Q. Mr. Nowell, in your studies, during your membership in the Communist Party of the United States, did you ever hear of the term "Partial demands" used in the writings and literature of the Communist Party? A. Yes, sir.

Q. What is meant by the term "Partial demands?" A. "Partial demands" are demands dealing with limited grievances on everyday problems, demands which conform to the framework of democracy and democratic procedure.

However, these demands, it was explained to us, are always subordinate to the object of the general strategy of the Communist International and the Communist Party.

Mr. LaFollette: By whom was it so held?

The Witness: In the Lenin School, and in our discussions in the conventions, bureaus, and various committees.

4178 Mr. LaFollette: When you say "conventions, bureaus, and so forth, are you referring to the Communist International or the Communist Party of the United States?

The Witness: Yes, sir, I am referring to both.

Mr. LaFollette: You are referring to both?

The Witness: Both the Communist International and the Communist Party of the United States.

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Q. What were you taught, if anything, during your studies at the Lenin School, as to the connection between the partial demands, which you have just described and the ultimate objects and aims of the Communist Party?

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4179 The Witness: I was taught in the Lenin School, and my whole experience as a Communist, was that the partial demands put forth by the Communist Party inextricably tied up with the ultimate objectives of the Party. That these demands served as tactical means of mobilizing for the more general and long-range objectives of the Party.

To be specific, we studied the object of the general strategy, which is the final overthrow of the capitalist governments of the world through the proletarian revolution.

This general strategy breaks down into segments of tactical strategic periods. Therefore, we speak of the tactical line, covering a certain period of time.

Within this strategic period, there are segments of shorter periods of strategy. These strategic periods, and the strategy used, break down into tactics.

4180 These tactics are the cutting edge of the more general strategy, as general strategy tactics, to give it a cutting edge.

Mr. Marcantonio: A cutting what?

The Witness: Cutting edge.

Therefore, I was taught and instructed, and I in turn taught and instructed, this relationship of tactics and strategy.

Correspondingly, the propagaganda and agitation department, the propaganda breaks down into agitation. Hence the partial demands of the Party are inseparable from and subordinate to, its ultimate objectives, the overthrow of the Government and establishment of a dictatorship of the proletariat.

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Q. Mr. Nowell, were other students, American students, who attended school at the same time that you attended school in Moscow, taught the same thing? A. They were.

Q. And did you later teach the same thing in the Workers School at Detroit? A. I did.

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4182 Q. Mr. Nowell, during your membership in the Communist Party, and while you were a student at the Lenin School in Moscow, were you taught anything in connection with just and unjust wars? A. Yes, I was.

Q. Will you tell us what you were taught? A. In accordance with Lenin's Thesis on War—I am not here now discussing the Thesis——

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The Witness: I now refer to what we were taught, that a war on the part of a colonial country against its mother country, for liberation, was considered a just and justified war.

A war of the Soviet Union against a so-called imperialist adversary, is considered a just war on the part of the Soviet Union, no matter how that war may have originated, whether Soviet Russia was the aggressor or the other way around.

Therefore, it boiled down to this: and this is not my conclusion.

4183 It is the conclusion of my mentors and instructors: that at all costs, the Soviet Union must be preserved.

All contradictions prevailing, or existing, between the so-called capitalist powers, must be exploited. It must be the tactic and strategy of the Soviet Union to create and exploit such contradictions between the powers whom she conceives as potential enemies, or actual enemies.

Therefore, in the event of a war between two so-called imperialist powers, it would be our duty to so weaken—I say our duty, in the period of my membership—to so weaken those powers, including our own government, if it were participant, or one of its own allies, if it were a participant, that both would be destroyed in the war and the Soviet Union would be left a clear field of conquest.

Hence, any war against the Soviet Union, no matter who was the aggressor, is considered an unjust war, and the position of the Soviet Union is considered just, although it might be the aggressor.

By Mr. DeNunzio:

Q. Mr. Nowell, during your membership in the Communist Party, and while a student in Moscow at the Lenin School, what were you taught, if anything, as to the rôle of the American Communist Party in the event of a war between the United States and the Soviet Union? A. I was taught that my first duty, as a Communist,
4184 would be to defend the Soviet Union.

More specifically, to carry on sabotage, to advocate and carry on strikes, to stop munition shipments, or stop the manufacture of munitions, to shut down industry through strikes, to carry on extensive anti-war propaganda, and propaganda for the defeat of the Government of the United States.

Furthermore, it would also be my duty to persuade, by all means possible, the armed forces to lay down their arms and not to fight against the Red Army, and to welcome and support the Red Army in case of Red Army invasion.

We were taught that the Red Army is the Army of the American Workers, and in the event of such a war we should welcome them with open arms and support them with all the revolutionary means we were taught in the science of civil warfare, and with all the propaganda and agitation means we were taught, in theory and in practice.

Q. Were the other students who attended the Lenin School at the same time you attended, taught the same thing? A. They were.

Q. Mr. Nowell, did you in turn, after your return to the United States, teach the same thing at the Workers School in Detroit? A. I did.

Q. During your membership in the Communist
4185 Party, and while a student at the Lenin School in
Moscow, what were you taught, if anything, as to the duty of the American Communist Party in the event of a war between a nation, which is an ally of the United States, and Russia?

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4186 The Witness: In the case of a war between the
Soviet Union and a nation allied of the United States, we were taught to do everything possible to defeat that ally of the United States, through the obstruction of shipment of arms, through propaganda campaigns against intervention, against the war, through collaboration between the
Communist Party of the United States and the Com-
4187 munist Party of such an ally, for the defeat of that
allied Communist Party's own government, that is the government of the country in which it was operating, and to defend the Soviet Union, under the slogan of convert this imperialist war of intervention into civil war with-

in our own countries, for the defense of the Soviet Union, and for the ultimate victory of the revolution.

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4199 Mr. LaFollette: Well as I understand, you said there was a change in tactics, beginning with the seventh world congress.

The Witness: That is correct.

Mr. LaFollette: And you testified that this arose out of the changed world situation. Proceed to say what the tactics were, and if you will, how you know why there was a change. I mean, who told you why there was a change, not your own construction.

4200 The Witness: My discussion on the basis of the resolutions and reports before the seventh world congress, and my instructions, in the carrying out of these directives, were that the defense of the Soviet Union was necessary against the threat of nazism and fascism; that because of this situation, it was necessary to reorient the Communist Party towards building mass movements, getting mass support for its policies.

Therefore, the People's Democratic Front, as an instrument in the hands of the Communist Party, was organized, or attempts were made to organize this People's Democratic Front, to secure the collaboration of the heretofore larger groups and organizations in support of that policy, and of governments who were inimical to nazism and fascism.

At the same time, we were directed, by the officers of the Party, nationally, to work, in the meantime, after the instruction and admonition of Dimitroff in his report to the seventh world congress, to strive to infiltrate these organizations and take them over, including the Government of the United States, and to direct its home and foreign policy to make it subservient to the objectives of the Soviet Union.

This Dimitroff characterized it as the Trojan Horse policy, which operated under the cover of the People's Democratic Front movement. This, I know, was taught and

in turn taught, was the reason for, and constituted
4201 the tactical reorientation beginning around 1935, and extending up to the time that the Soviet Union made a pact with Adolf Hitler.

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4241 Q. Do you also remember mentioning Dimitroff's report in the Seventh World Congress of the Communist International? A. I do.

Q. Mr. Nowell, during your membership in the Communist Party, did you confer with any officials of the Communist Party concerning the text in the pamphlet entitled "Resolutions of the Seventh Congress of the Communist International," including the closing speech of G. Dimitroff? A. Yes, I did confer.

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4242 Q. And what was the nature of your conferences with officials of the Communist Party concerning the text? A. The first discussion was a meeting of functionaries at which the district organizer gave the report on the resolutions and decisions of the Seventh World Congress. Subsequently——

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4243 Q. Do you remember the approximate time of your conferences concerning the text? A. That was the latter part of 1935.

Q. With whom did you converse? A. William Weinstone and other functionaries of the Michigan District of the Communist Party.

Q. Where did you have these conversations? A. In Detroit, Michigan.

Q. Now, will you give us the nature of your conferences with Mr. Weinstone and other officials concerning the tactical changes? A. I was instructed in line with the report, Weinstone's report to the functionaries and membership meeting and the resolutions to proceed to set up certain organizations in accordance with the People's Front policy.

In fact, preparatory to the Seventh World Congress we had begun, under instructions from the Central Committee and the District Organizer, to re-orient certain of the existing organizations, like the I. W. O., the language federations, or remnants of the same, to convert these into broader and ostensibly more democratic types of organizations, designed, as we were told, to enlarge the numbers of people that we had not reached up to that time. 4244

This particular conference with Weinstone in the fall of 1935 had to do with reorganizing what had been known up to near that time as the League of Struggle for Negro Rights.

I was instructed to take charge of a city-wide fraction taken from all units of the Communist Party in that district, in the Detroit area, and begin to infiltrate other organizations, churches, cultural groups, fraternal organizations and whatever organizations we could penetrate to lay the basis——

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4246 Q. Mr. Nowell, tell us what you did when you infiltrated, so-called infiltrated or penetrated. Use other words than "infiltrate" and "penetrate."

Mr. LaFollette: State what you did.

The Witness: I was instructed to send Communist Party members into these organizations, to have them join them or to work within them and to secure people who would support the program that I was trying to carry out.

I was told to be careful of my method of work, so as not to expose the Party within these organizations, for fear of alienating people who we are trying to get to go along with us.

That is what I meant by infiltrating or whatever you want to call it. For lack of a better term, I simply said "infiltration."

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4247 The Witness: In accordance with these instructions, I proceeded to send Communist Party members into various organizations for the purpose of securing delegates to a convention, to establish or set up the Detroit chapter of the National Negro Congress. From time to time in the course of this activity, in accordance with the instructions given, we held conferences as to the nature of our work relative to the instructions given, in line with the report of the District Organizer on the resolution and decisions of the Seventh World Congress.

In the year 1935, out of this effort, the National Organization of the National Negro Congress was established in Chicago, conforming to the new type of reorientation as set forth in the resolutions of the Seventh World Congress, executing or directing the Communist organizations to develop People's Front groups and to weld them into a national People's Front.

Also, I cooperated with the leaders of the Bulgarian and Macedonian organizations——

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4248 The Witness: We, also, received an instruction—by "we," I mean the officers and members, or those active in any form of capacity, of leadership to reorganize the language federations, those under communist control—to conform to the instructions implicit in the resolutions and decisions of the Seventh World Congress.

The Bulgarian and Macedonian organizations were reorganized after a fashion and a People's League, a Macedonian People's League was set up, set up similar to the International Workers' Order. Various groups of the International Workers' Order were broadened and following out an earlier instruction of the I. W. O. and to work into the insurance organizations and get benefits as a base for People's Front operations, to include large numbers of people that the Party had not been in a position to reach before that time.

The Civil Rights League was reorganized into the Civil Rights Congress. I could go on to a number of organizations that we reoriented who conformed to the tactical policies and tactical lines set down in the Thesis and
4249 Resolutions of the Seventh World Congress.

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Q. Now, Mr. Nowell, were the memberships of these various organizations which you have mentioned one hundred per cent communist? A. They were not.

Q. Was there a group of communists in each organization? A. Yes, there was.

Q. What was the purpose, if you know, of this group of communists in each one of these organizations that you have mentioned?

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The Witness: The purpose of these groups of communists, which we call fractions, Communist Party fractions, was to influence the policies of those organizations and to guide them along the lines of the Communist Party
4250 policy in setting up this People's Front movement.

I so instructed the fractions under my control and participated in the instruction of fractions in various organizations as to what they were to do in executing this policy.

Mr. LaFollette: What specifically did you tell them, just the fraction under your control?

The Witness: I told them to go, firstly, in two's and three's to these groups, participate in their meetings, take the floor and make suggestions as to the improvement of the workers of those organizations, to raise certain issues that affected the people in the community and suggest a means of solving those problems in the—one might do this in the Young People's League, in the Baptist Church, the Christian Endeavor League, the Baptist Young People's Union, the adult organization of the men's groups in the church, in the Elks, Odd Fellows, the Masons, or any other group in which they could gain entrance or, if not, to take out membership in those organizations or if they had a friend who belonged, to cultivate him and get him to put proposals across, and in that way to gain an entree to begin to shape the policies of those groups, the policies of the Party and the establishment of this congress that I have mentioned previously.

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4251 Q. What was the Communist Party of the United States doing at the time you left the Party in connection with the program of the People's Front organizations?

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The Witness: Aside from and together with the work we were doing in various cultural and fraternal groups, we were then under the same instruction, carrying out
4252 the policy of infiltrating, that is, of getting into and getting control of various labor unions with the aim in view of controlling these groups. Notably, I was instructed in 1935, along with a group of people who had been or were then employed in the automobile industry, to work for communist control of our local unions and to gain hegemony in the C. I. O., the Congress of Industrial Organizations. It wasn't called the Congress then, but some time later it assumed the name of Congress of Industrial Organizations.

My recollection is that at that time it was called the Committee of Industrial Organizations. After the big strikes in 1936 in Detroit, of course, the Party counted on the C. I. O., without reflection on the C. I. O., itself, as a part of the People's Front movement to influence American home and foreign policy in conformity with the International People's Front movement outlined by Dimitroff in his speech at the Seventh World Congress and the subsequent resolutions, embodying his suggestions as a directive to the members of the Communist International.

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4291 Q. Mr. Nowell, I show you Government Exhibit, which has been identified as Exhibit No. 142, which is entitled "Why Communist," by M. J. Olgin, and ask you whether or not during your membership in the Communist Party you have read a pamphlet of a similar title containing the same text? A. Yes, I have.

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4292 Q. Directing your attention, Mr. Nowell, to the inside fly leaf, where the various editions of this pamphlet appear, I ask you whether or not as manager of the book store you distributed and sold any pamphlets similar to this one in a prior printing or prior edition. A. I was going to explain—this is in answer to your question—that during the time that I was manager of the book store in 1930 this pamphlet had not appeared, however, in 1933, when the first edition appeared I was also on the board of the book store as director of education. In that capacity I participated in the supervision of the distribution of literature. Therefore, in 1933 I did supervise the distribution of this pamphlet.

By Mr. DeNunzio:

4293 Q. Mr. Nowell, as a teacher at the Communist Workers School in Detroit did you use this pamphlet to teach classes? A. Yes, I did.

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4326 By Mr. DeNunzio:

Q. Mr. Nowell, I show you Government's exhibit which has been identified as No. 145, a pamphlet entitled "The Communist Party—a Manual on Organization," by J. Peters, and I ask you whether or not during your membership in the Communist Party you saw and used that pamphlet? A. Yes, I did use this pamphlet. I read it and used it in my classes on Party organization in the Workers School.

Q. Did you use it while you were teaching at the Workers School in Detroit, Michigan? A. I did.

4327 Q. Do you know whether or not that pamphlet was sold by the Communist Party book store in Detroit? A. We kept it stored in the book store. This is not a pamphlet for sale to the general public. It is an internal Party document that was sold to Party functionaries, Party leaders, for their guidance on organization problems.

Q. Were you told by any official of the Communist Party what use was to be made of this pamphlet? A. Yes, I was.

Q. Who told you? A. William Weinstone, also John Smeds.

Q. What were you told as to the use that was to be made of this pamphlet? A. I was instructed to distribute, to urge the Party functionaries to read this pamphlet as a guide to Party organization because it relates the Party theory, its program and organization comprehensively and, therefore, was considered during the period of my membership one of the best documents thus far issued on Party organization.

Q. During your membership in the Communist Party, was this manual ever repudiated? A. No, it was not.

Q. Did you ever meet the author of that pamphlet? A. Yes, I did meet him.

4328 Q. Where did you meet him? A. I met him in Moscow, Russia.

Q. If you know, what was he doing in Moscow, Russia? A. He was representative from the American Communist Party to the Communist International.

Q. Mr. Nowell, did you know J. Peters by any other name? A. Yes, I did.

Q. What other name or names? A. I knew him by the name of Alexander Stevens, William Peters, and Clarence Miller.

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4341 Q. You left the Party when? A. At the end of 1936.

Q. And during the year of 1936, did you have the occasion to use this pamphlet? A. Yes, I did.

Q. How widely was it distributed in 1936, if you know? A. In 1936—it was largely limited in 1936 to the top Party functionary, section organizer, section district members, district bureau members, district committee members and fraction secretaries and fraction leaders of the Communist Party.

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4722 **Paul Crouch**

was called as a witness on behalf of Petitioner and having been first duly sworn, was examined and testified as follows:

Direct Examination:

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4742 Q. You also mentioned visiting the Soviet Union. What was the date that you arrived at the Soviet Union? A. Around Christmas of 1927, to the best of my recollection.

Q. How did you happen to visit the Soviet Union? A. Well, first of all, I had received an invitation from the Society of Cultural Relations, a branch of the Soviet Government, to make a visit to the Soviet Union as a guest of the Government during the fall of 1927, but my primary —the primary factor in my visit was the instructions
4743 received by a Comintern—that is a Communist International representative, named Nassonov, that I should go to the Soviet Union—

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4744 Q. What duties were you to perform, if any, while you were in the Soviet Union? A. I was to attend meetings of the Executive Committee of the Communist International, the Young Communists International, a World Congress of the Red International of Trade Unions, to be held in March of 1928 and I was to meet with the General Staff, with the General Staff officers of the
4745 Red Army, for the purpose of formulating a program of work inside of the United States Army, obtaining answers to questions Nassanov was unable to give.

Q. What was your primary position, if any, in the American Party at the time? A. My primary position was head of the Communists Party Department for Work in the Armed Forces of the United States.

Mr. LaFollette: Excuse me, Mr. McKittrick. I want to know what time this was.

The Witness: This was from October, about the first of October, 1927, until 1930, during which time I headed the Communist Party's Department for Work in the Armed Forces.

Mr. LaFollette: Thank you very much. Go ahead, Mr. McKittrick. I am sorry to interrupt you.

By Mr. McKittrick:

Q. Who was the head of the Secretariat that you mentioned as having some part in deciding you should go? A. The head of the Secretariat was William Z. Foster, National Chairman of the Party.

Q. Is that the same William Z. Foster now head of the Communist Party? A. It is.

Q. How was your passage to the Soviet Union arranged?
A. My passage was arranged by AMTORG, a branch
4746 of the Soviet Government with offices in New York,
which arranged for me to sail without charge aboard
an Italian freighter, chartered by the Soviet Government, sailing in December of 1927 from New York City to the Port of Novorossisk, I believe, on the Black Sea. I am not sure of the spelling.

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4747 Q. Let me reframe the question. From what
source did you obtain your travelling expenses for this trip? A. From the Central Committee of the Communist Party of the United States.

Q. How were your living expenses defrayed while you were in the Soviet Union? A. Primarily by the fact that I was on the pay roll of the Communist International at 110 rubles per month from the time of my arrival until departure, plus hotel expenses and, also, by the fact that I was a guest of the Soviet Government and of the Communist Party in the various cities I visited.

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4762 Q. Mr. Crouch, while you were in Moscow, where were you paid? A. I was paid at the disburser's office in the Communist International Building.

Q. How often were you paid? A. Twice a month.

Q. Did you ever observe anyone else receiving pay at the times you received your pay? A. I observed others, yes.

Q. Where did you live while you were in Moscow? A.
I lived at the Hotel Lux on Tvirskaya Avenue,
4763 Moscow.

Q. Did any other American Communists live at the Hotel Lux, to your knowledge? A. Yes.

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Q. Would you name some of the other American Communists living there? A. The other American Communists living there during the time I was there, throughout that time, were Sam Darcy and J. Louis Engdahl and part of the time Harrison George and Earl Browder.

Q. Did you pay any money for the occupancy of your quarters in the Hotel Lux? A. No, I did not.

Q. Now you have told us the purpose of your
4764 visit to the Soviet Union. What, if anything, did
you do after you arrived at Moscow, in connection with your assigned purpose in going to the Soviet Union? A. Oh, I did many things, the first of which was to meet with the General Staff officers of the Red Army at a meeting held in the Hotel Lux in the room of Mr. Nassanov, give a report on the American situation insofar as work in the Armed Forces was concerned, present our rough, tentative draft of work, present our questions and I received answers to those questions and detailed directives from the Red Army and General Staff officers.

Q. Who was present at that meeting besides yourself? A. Mr. Nassanov, Marshall Tukhachevsky, two other General Staff officers whose names I cannot now recall and a Red Army officer translator.

Q. Did anything result from this meeting? A. Yes.

Q. Well, what happened at this meeting? A. First of all, I gave a general report on our plans of work in the United States for sending Communists into the Armed Forces. I asked them many questions Nassanov had been unable to answer in the United States, such as how many should we send into the Army in relative numbers, what are the tasks when they go in and how are they to operate, should we send small numbers or large numbers into
4765 the National Guard, the ROTC, the CMTC and other
military organizations, whether we should give military training in schools operated by the Communist Party and the Young Communists League in the United States, that we could arrange to send leaders of the Communist Party to Moscow to receive military training through the Red Army, whether I should receive such training in the Soviet Union to prepare me better for my responsibilities in the United States, what slogans we should raise and agitation in the Armed Forces of the country, and so on, and I received the answers to these questions and directions on our work, the major one being that we should send a small, carefully selected group into the United States Army and Navy and they should be sent in on a concentration basis, not to scatter our energies, that the number one concentration should be Panama because of the vital importance of Panama to the national security of the United States in time of war, because that with an organization in the Army, coordinated with the civilians there, they would be able to cripple American transportation through the Canal.

The second point of concentration was to be Hawaii and next to that the ports around New York and San Francisco, that we were to send some of our numbers into the Navy,

that these people were to work very carefully and cautiously, the first consideration must be to serve their enlistment without being detected by military intelli-
4766 gence, that the most conspiratorial precautions must surround all of their work, and, as regarding the National Guard, that we should send in large numbers who were to work less secretly, who were to work to try to disrupt discipline in the National Guard and make it unfit for fighting operations, that we should not give advance military training in the schools operated by the Communist Party, that it would be foolish, that we should realize it would be foolish to go to the expense of giving military training to our Communist leaders when we could obtain this at the expense of the American Government, and, therefore, that through entrance into the ROTC, Reserve Officers Training Corps, and in the National Guard and other military organizations, our members could receive much better and more efficient military training than elsewhere.

My plan for work, for a program of draft demands in the Army was approved but with a qualification and a caution that our demand for a union of soldiers, sailors and marines was to be an agitational slogan without any expectation that it could ever be realized. The plan also directed us to include in our working armed forces the muntion factories and the Navy yards, to send members of the Communist Party and Young Communist League into those places to obtain employment.

We were directed that in the Navy Yards they were to form joint units of the Communist Party and the Young Communist League, to belong to the same units, to
4767 work together, coordinate this work. We were also directed to utilize, to establish squads of girls in our anti-military apparatus, as it was called, to have these girls trained for distribution of leaflets, for carrying on correspondence with service men, for making contacts with them to bring them to dances and parties, so that they

could be recruited into the Communist movement. Also, I was informed that the American students of the Lenin School were already receiving military instruction, but was promised that the military instruction given them by Red Army officers would be materially increased in the future and that they would consider in the General Staff the matter of bringing a few selected American Communist leaders to Moscow for training at the Frunze Military Academy, which corresponds to West Point, the West Point of the Soviet Union.

Also, they said I should return to the United States, that it was too important for me to get this work started in the United States, and we did not get time off to go to a military academy at that time in the Soviet Union, and that this matter would be considered further at a later date, that regarding the political questions and the political formulation, that these should be worked out in the Communist International and Young Communists International Executive meetings which were to follow immediately in Moscow, to which these political questions and formulations were referred. It was also decided while in the Soviet
Union, I was to visit the Red Army Headquarters
4768 in the Frunze Academy for the purpose of studying
the material available for me in the languages I
could then read, English and French, regarding means of civil war, guerilla tactics, sabotage, and so forth, and that I should give lectures at the Russian Military Academy.

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4772 Q. Mr. Crouch, in connection with the documents
you stated were to be placed at your disposal, did
4773 you, in fact, study those documents? A. I did.

Q. And where did you study them? A. At the Red Army Headquarters in Moscow and some in the Frunze Academy.

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4787 Q. Yesterday we were talking about your trip to the Soviet Union. While you were in the Soviet Union, did you have anything to do with any organization dealing with labor unions? A. Yes.

Q. What organization did you have such contact with? A. With the World Congress of the Red International Labor Unions.

Q. That organization, was it ever known by any initials? A. Yes.

Q. Do you recall the initials that were used in connection with it? A. R.I.L.U.

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4788 Q. What was the function of that organization, if you know? A. The function of that organization was to operate throughout the world for the purpose of building new unions under Communist control, so that labor could be used for the revolutionary objectives of World Communism and for the purpose of capturing control of existing non-Communist unions.

Q. Was there any relationship between the R.I.L.U. and the Comintern, if you know? A. Yes.

Q. What was that relationship? A. The R.I.L.U. operated directly under the supervision and control of the Comintern.

Q. At the Congress you stated you attended, were any decisions reached by the R.I.L.U. directly affecting the activities of the Communist Party of the United States? A. Yes.

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4789 Q. Will you state those decisions, if you know? A. The decisions were in the—the decisions that I recall were in the form of verbal motions made and passed at meetings I attended.

Q. What was the subject matter of those decisions? A. One of the decisions was to set up a commission in the meeting, in the Congress, composed of George Mink, James

S. Allen and myself to work with Evangelista and Manahan, representatives from the Philippine Islands, for the purpose of formation of a Communist Party in the Philippines.

A second decision that affected the United States was in connection with maritime work, a decision that they work in the United States and other major countries and the maritime industry should be financially subsidized from Moscow, that far more attention must be given to this work by the American and other Parties, and that an international bureau would be a special subdivision of the R.I.L.U. and, operating under the supervision of the Comintern, would be specifically in charge of this work.

Q. Did any American Communists attend this
4790 Congress besides yourself? A. Yes.

Q. Will you name those Communist Party members whom you now recall? A. Present in the Maritime Commission were, I recall, George Mink, James S. Allen and myself. Present at the entire Congress were, in addition, Benjamin Gitlow, Joseph Zack, and about a dozen or more other Americans that I cannot now recall.

Q. In connection with the plans you have stated were made for working the maritime unions, was any action taken, to your knowledge, upon your return to the United States to carry out those plans? A. Yes.

Q. What action was taken? A. Seamen's clubs along the lines planned in Moscow were set up in Norfolk, Virginia, New York City, San Francisco, port cities, in fact practically all major American ports; a paper called "The Marine Workers' Voice" was published as the organ of the Marine Workers Union, which was the American part of the Seamen's Division of the Red International Labor Unions, and far more attention was given to this and a member of the Maritime Commission, Roy Hudson, was made a member of the Politburo shortly thereafter.

Mr. LaFollette: May I ask: That was the Polit-
4791 buro, the American Politburo?

The Witness: Yes.

I should say further, in the interim, before Roy Hudson, another member of this Maritime Commission, John Harvey, was placed on the Politburo and then Roy Hudson became a member of the Politburo also of this Maritime Division.

By Mr. McKittrick:

Q. Did you have any personal connection with this work in the Maritime Unions? A. Yes, I did.

Q. Would you state the nature of your personal connection? A. My personal connection during 1928 and 1929 was in correlation with my work as head of the Department for work in the Armed Forces, since there was a close similar connection, and in connection with my work as National Secretary of the Anti-Imperialist League. Since the Anti-Imperialist League—

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4792 The Witness: I took part in discussions with George Mink and other members of the Maritime Commission in connection with my work as National Secretary of the Anti-Imperialist League during the period I was National Secretary, and then in 1932 or early 1933 I was at Norfolk, Virginia, the organizer of the Marine Workers Industrial Union, in addition to my duties as Party organizer and the head of the International Seamen's Club, in charge of the National Seamen's Club, which was listed, which had its office or headquarters in the front room of my residence at 425 Bank Street, and the address of my home, the address of the Communist Party, the address of the Marine Workers Union, and the address of the International Seamen's Club all was 425 Bank Street, Norfolk, Virginia.

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Q. Who was the national head of the Marine Workers Industrial Union, if you know? A. George Mink.

Q. Did George Mink do anything, to your knowledge,
while he was in the Soviet Union, which was designed
4793 to qualify him to fill that position? A. Yes.

Q. What did he do? A. He did two things: First, he became a part of the Soviet Secret Police.

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The Witness: I was relating of my own personal knowledge that he was—because he told me and showed me his Gaypayyou credentials. This was a matter of my own personal knowledge. Secondly—

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The Witness: Secondly, Mink made a trip to the Black Sea ports of Odessa, Sevastopol and Novorossisk to study the International Seamen's Clubs, used as a model for organizing International Seamen's Clubs in the United States.

4794 Mr. LaFollette: How do you know that?

The Witness: I know this from Mink showing me the funds he had received for this purpose, his advising me of this and showing me his railroad tickets, his leaving Moscow for these ports, and his reports made at the Maritime Commission on his return.

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Q. What was the objective of the R.I.L.U. in carrying on Communist activities in the maritime industry, if you know?

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4796 The Witness: I can only state the objectives outlined in the reports at the Commission I attended in Moscow, of my own knowledge, which were that the major objectives be to build a maritime organization throughout the world, that during war between the Communist and non-Communist worlds, we would be able to paralyze shipping, prevent transportation of soldiers and war supplies and, also, that would enable the Communist movement to have an unlimited courier service throughout the world at its disposal.

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4798 Q. What was the objective of the Congress in setting about to form seamen's clubs, if you know?

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The Witness: The objective stated in the Convention was to use the seamen's clubs to build recreational centers, which would attract seamen into the Unions under Communist control and then into the Communist movement. In other words, as recruiting centers.

By Mr. McKittrick:

Q. How were the seamen's clubs financed, if you know? A. I only know—

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4799 The Witness: My only knowledge on that is that it was the decision regarding the subsidies on all of this maritime work and the statements made to me by George Mink after our return to the United States and, of course, I know about the local seamen's clubs in Norfolk, Virginia, which I personally directed.

Mr. LaFollette: All right. Speaking of the seamen's clubs in the United States now, how was your club in Norfolk financed?

The Witness: Our club in Norfolk, Virginia, operated on a small budget, financed mostly out of the local Party budget, the bulk of which was contributed by the International Workers Order and some subsidies were sent from George Mink, out of New York, to a Mr. B. K. Lacka, who, for a time, was doing full time work for the seamen's club and the marine workers industrial union and he received checks from the Marine Workers Industrial Union in New York City.

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Q. Returning to your activities while you were in the Soviet Union, in connection with your service on this
4800 commission of the Communist International, having as its primary duty the drafting of a resolution to be submitted at the forthcoming Sixth World Congress, did that commission, in fact, perform its assigned duty? A. Yes.

Q. And did you actively participate in the performance of that duty? A. I did.

Q. Would you state what contributions, if any, you actually made toward the carrying out of those duties. A. I participated for the period of at least two months in work on this resolution on a commission of five members, of whom I was one, and with a Mr. Barbe of France as the chairman of the Commission.

Q. In connection with the drafting of the resolution, did any other groups or persons have anything to do with the drafting of the resolution, apart from the members of the commission, itself? A. Yes.

Q. What other persons or groups had some part in that activity? A. Officials of the Communist International, Mr. Bukharin, and others from time to time called the members of the Commission in for consultation and I was called for consultation on the drafting of this resolution by the
4801 head of the military department of the Communist Party of the Soviet Union in the Communist Party headquarters where I met with him and with several Red Army General Staff officers, other Russian Communist Party leaders and at this meeting my escort and my translator was Mr. Khitarov, a leader of the Russian Communist Party and about a year later, president of the Young Communist International.

Q. What happened at the time of your meeting with the officials of the Communist Party of the Soviet Union? A. I gave them a complete resume of our work to that date and the general outline and they reviewed this, approved it in general and made various detailed suggestions, recommendations for changes.

Q. Did you do anything with these recommendations for changes, after you received them? A. I did.

Q. What did you do with them? A. I gave a report on them at the next meeting of our commission.

Q. What actions, if any, were taken by the commission? A. The Commission proceeded to make all necessary provisions to incorporate all the recommendations from the Russian Communist Party.

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4802 Q. I show you Petitioner's exhibit marked for identification Petitioner's Exhibit 148, and ask you if you have ever seen that volume before? A. May I have a few minutes to examine it, to be sure that it is the same volume?

Q. Yes. While you are examining it I will complete the description. This volume purports to be the struggle against Imperialist war and the tasks of the Communists, the resolution of the Sixth World Congress of the Communist International, July, August, 1928, purportedly published by the Workers Library Publishers, Second Edition, July, 1934. A. What was the question?

Q. Have you ever seen this volume before? A. Yes.

Q. Is this the same resolution prepared by the
4803 Commission on which you served? A. It is.

Q. Did you contribute any of the language contained in this volume? A. I contributed materially to the language in this volume, its formulation and contents.

Q. What distribution was made of this volume, if you know? A. Almost immediately after the Sixth World Congress ratified it, in August, I believe, of 1928, this was published in an international Communist English language journal, called Inprecorr, International Press Correspondents, and it was widely distributed throughout the Communist Party, a mimeographed edition was distributed following that throughout the Party and Young Communists League in this country and then it was published in various editions in large numbers, made available through the Party's book stores, sold through the Party organizations, used in the Party schools.

Q. Did you, yourself, ever use this volume in the Party schools? A. Yes, in many.

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4806 Q. I believe you told us that you returned from the Soviet Union sometime in April of 1928, is that correct? A. I left the Soviet Union in April but it was sometime in May when I returned to New York City aboard the Ille de France, to check the exact date.

4807 Q. Upon your return, did you report to anyone concerning your trip to the Soviet Union? A. I did.

Q. And to whom did you report? A. I reported to William Z. Foster, Chairman of the Party, to the National officers of the Young Communist League, and to the commission I headed, the joint commission of the Communist Party and Young Communist League.

Q. Did you take any steps to carry out any instructions that you received from the Soviet League about which you have told us? A. Yes.

Q. Now what steps did you take? A. I set up joint departments in the Communist Party and in the Young Communist League in all of the 13 districts in which the Communist Party and Young Communist League were then divided.

Mr. LaFollette: May I interrupt? What year is this now?

The Witness: I am referring to 1928, on my return from the Soviet Union during late May, June and thereafter.

Mr. LaFollette: All right. Do I understand it that your testimony is what you did immediately after your return?

The Witness: Yes. Immediately after. I toured much of the country, met with the district organizers of 4808 the Communist Party and Young Communist League and pointed out to them the decisions made at Moscow, gave them the directions regarding the infiltration of the Armed Forces and then I proceeded to select, make a selection of individuals who were going into the Armed Forces. The first man was, by the name of Taylor, from the anthracite fields of Pennsylvania, who was approved to go into the Army and in accordance with the orders that I received from the Red Army General Staff, was assigned to join the Army for service in Panama. Others followed under my instructions, first to Panama, several to Panama and then we sent some to Hawaii and others to the Army ports around New York and San Francisco.

At the same time I was giving considerable attention to the National Guard. I instructed the directors in each of the districts to send large numbers of young Communists into the National Guard and after those people joined the National Guard I met with many of them and, for example, at Fort Snelling, Minnesota, I met with officers of the Communist Party, the Young Communists League and the Communists who had joined the National Guard for the purpose of revolutionary work within, and set up the first paper ever published by the Communist Movement of the Armed Forces of the United States called the "Fort Snelling Rapid Fire" and with a motto on the front page, "Learn whom to fight while learning how to fight." I followed this paper up with a publication in Wash-
4809 ington, D. C. called the "Red Cadet" published in cooperation with the Young Communists who had joined under my instructions the Reserve Officers Training Corps in Washington. I set up a monthly paper called the "Red Guardsman," in the state of Pennsylvania, in cooperation with the Communist Party, Young Communist League, and the Communists who had joined the National Guard there.

For the state of New York we set up a monthly paper called the "Rebel Guard" as the official organ of the Communist Movement inside the National Guard of New York. Within the first year I had sent into the National Guard approximately 200 Communists for the purpose of working within the organization, a large number—I do not recall the exact number—into the Reserve Officer Training Corps, others in the citizens military training camps and I met with them and directed their activities.

I also had printed stickers for propaganda against the Government and the Armed Forces and I set a specific date, I don't recall the exact date, it can be approximately ascertained from copies of my instructions that are in Congressional records. I sent out a letter throughout the country stating that by a certain date we are going to distribute these stickers.

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4817 Q. Mr. Crouch, did your commission in the performance of its task have any special status in the Party? A. Yes.

Q. What was its status? A. Its status was that of special authority not granted to any other commission, such as the right to select people in the Party, the Young Communists League, order them to go into the armed forces, the right to go over the heads of District organizers in selecting personnel from the district for this work and take them away from other fields of work in which they might be engaged.

Q. You mentioned briefly some of your activities in connection with the placing of sailors aboard the U. S. ship Oklahoma. Would you elaborate on your activities in connection with the USS Oklahoma? A. The sailors aboard the USS Oklahoma were given instructions to be very conspiratorial in their work. They were given the names of Party girls to whom they were to write regularly and who would give me information on the location of the ship, when they expected to be in port, what port and things of that kind. They were given names of other girls to whom they were to send unsigned reports on the work aboard the ship and when the ship arrived in port Communists in
those cities were assigned to go aboard that ship,
4818 leave stickers wherever possible, scatter Communist
propaganda leaflets we had prepared for the occa-

sion and girls were instructed to try to make contacts with sailors aboard that ship and to invite them to parties that were arranged by the Communist Party for the purpose of drawing them closer to the Party and eventually recruiting them into the Communist Movement.

Q. Was there any general policy respecting the place of service for recruits in the Army and in the Navy during the period you are now describing? A. Will you please repeat the question?

Q. Was there any general policy with respect to the placing of recruits for the Army and Navy during this period of time that you are now discussing? A. Yes.

Q. What was that policy? A. The policy was that Panama was a major point of concentration.

Q. Excuse me, Mr. Crouch. I don't believe you understood the question. The question was, did the Army and the Navy have a policy respecting the place of service for these recruits? A. The Army did. The Navy did not.

Q. What was the Army's policy? A. The Army's policy at that time was to allow recruits to select the
4819 branch of service and the location in which they
wished to serve, whether in Hawaii, Alaska, Philippines, Panama or on the mainland and, in general, if they were to serve on the mainland, they allowed them considerable voice in selecting the post where they wished to serve.

Q. Did this Army policy have any effect on your activities in placing Communists in the United States Army? A. Yes.

Q. What effect did it have? A. It greatly facilitated our concentration policy of sending Communists to Panama, Hawaii, and the posts around New York and San Francisco.

Q. Would you describe in some detail the manner in which you brought about the enlistment of Communists in the United States Army? Excuse me. I will withdraw the question. Would you describe in some detail the manner

in which you carried on your Communist activities in the United States Army? A. First of all, the first step was meeting with the Anti-Militarist directors in each of the districts who were primarily responsible for the selection of people who were to go in the armed forces from their respective districts, describing the qualifications, that they must select people who had never been fingerprinted in connection with Communist activities, because if they did not do so the military intelligence as a matter of
4820 routine would almost certainly identify them. We were to select preferably people who had never been connected publicly, whose names had not appeared in the press in connection with Communist activity and if it were necessary, to select anyone whose names had so appeared, that they were to go into the Army under an assumed name and not their correct name, that the people selected for the Army must be people of political reliability, great intelligence, flexibility and able to carry out a very difficult and dangerous assignment.

The next point in these instructions was regarding the channels of communication that they were to establish with the Commission headed by me. Steps also were taken in some cases, as the case of Panama, to have contacts made with the civilian Communist Party to obtain names of people who would be contacted by the servicemen there and to whom they would have reports sent and who would distribute leaflets to the armed forces.

4821 Q. What was your method of operation in the National Guard during this same period? A. In the National Guard we took far less precautions about individuals, and in many cases the Communists who were in the National Guard virtually participated in putting up stickers, distributing leaflets to other members, and the instructions were that while they were not to unduly necessarily expose themselves, nevertheless, they were not to neglect any opportunity to exploit local grievances, create disturbances in the National Guard, and try to break down discipline and military efficiency as far as possible.

Q. You mentioned the procurement of employment for Communists in the Brooklyn Navy Yard. What was the extent of Communist activity at that place, if you know? A. The Communist activities during the 1928 and 1929 period was a very careful foundation work and it was not until later, after Walter Trumball succeeded me—

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4822 The Witness: After Walter Trumball succeeded me as the head of the joint commission in 1930, I remained a consultant for the commission, working with Walter Trumball and his successor, Emanuel Levine, in this work.

In connection with my work as a consultant with Walter Trumble and Emanual Levine, I participated in meetings around 1934, as nearly as I can recall, with the people in the joint unit of the Communist Party and Young Communist League at the Brooklyn Navy Yard, and aided them in the plans for a monthly paper, in editing several issues of a monthly paper which 4823 was published in the name of the joint unit of the Communist Party and Young Communist League.

By Mr. McKittrick:

Q. I believe you stated, that you stated that you attended several national conventions of the Communist Party. Will you give the dates of the national conventions and the places where they were held, conventions, that is, that you recall now having attended? A. Conventions I recall having attended of the Communist Party were 1929 in New York City, in March, 1929, in New York City, over a period of some ten or eleven days, I don't recall the exact days or months; in early April of 1934 in Cleveland, Ohio; in the latter part of June, 1936 in New York City, part of those conventions being at the Manhattan Opera House.

In May, about the end of May, 1938, I recall the Hotel Center being connected with some of the sessions, I believe, of the '38 convention, a convention in the summer of 1940—I don't recall the exact date—and a special convention in November of 1940 and in addition I have participated in nominating conventions of the Communist Party in the fall of 1928 and 1932, both in New York City, and another nominating convention, I don't recall the exact date at this moment.

Q. Can you give the places of the conventions that you have named attended in 1938 and summer of 1940 4824 and November of 1940? A. Those conventions were all in New York City.

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4837 Q. Did the Communist Party have any delegation to the Young Communist League convention? A. It did.

Q. And who was that person? A. Robert Minor.

Q. Did you learn from Robert Minor the person he favored as National Secretary at this convention? A. I did.

Q. And who was that? A. He favored me as the National Secretary.

Q. In your discussions with the delegates prior to the convention concerning the selection of the National Secretary, did any of them express their views concerning who should be National Secretary? A. Yes.

Q. And what person did they indicate that they favored? A. They indicated that they favored me, and stated so.

Q. Did you attend any meetings of the Presidium or the presiding committee of this convention? A. Yes, I was a member of the presiding committee of the convention.

Q. Did William Rust attend any of those meet-4838 ings? A. He did. He attended all.

Q. And was it there that William Rust gave the instructions that you just told us about? A. Not there, later.

Q. Did Robert Minor attend any meetings of the Presidium? A. Yes.

Q. And did he express any views concerning the selection of a National Secretary at those meetings? A. Yes.

Q. What views did Robert Minor express? A. Robert Minor expressed the view that the convention should proceed to elect the National Secretary in the usual procedure and that I should be recommended as the National Secretary.

Q. Did William Rust ever outline any procedure for the selection, the mechanical selection of the National Secretary at that convention? A. Yes.

Q. What procedure did he outline? A. He outlined a procedure that instead of the convention electing the Secretary, that he gave orders that the convention must only elect a National Committee, the National Committee would elect the Bureau, and the Bureau was to elect the National Secretary.

Q. Was any action taken as a result of those
4839 orders that were given? A. Yes.

Q. What action, if any, did the convention take? A. They complied with the orders.

Q. Did the Bureau have any meetings prior to the selection of its National Secretary, the Bureau? A. I don't understand the question.

Q. You said the convention complied with the orders? A. Yes.

Q. You mean by that that they selected a committee? A. They selected a National Committee, and the National Committee, in turn, selected a small committee from among its members called the Bureau.

Q. All right. Upon its selection, did the Bureau have a meeting? A. It did.

Q. Did Rust attend that meeting? A. Yes.

Q. Did he have anything to say at that meeting? A. Yes.

Q. What did he say? A. He said the decision of the Communist International and Young Communist International was that John Harvey must be the National Secretary of the Young Communist League, that I could be

elected to any position in the Young Communist
4840 League, except that of National Secretary, but that
Harvey must be the National Secretary.

Q. I believe you have already told us that you did acquire those positions; is that correct? That you did acquire some other positions? A. I acquired other and additional positions, yes.

Q. Yes. Did Rust give any other orders to this convention, respecting the selection of the officials of the Young Communist League? A. Yes.

Q. What other orders did he give? A. That George Pershing must be made District Organizer of the New York District.

Q. What action, if any, did the Young Communist League take after receiving that order? A. It accepted the orders from Moscow and proceeded accordingly.

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4847 Q. You stated that you attended a special convention of the Communist Party in New York City in November of 1940. In what capacity did you attend that convention? A. I attended that convention in two capacities, as a district organizer of the Communist Party for the District of Tennessee and as a regular delegate to that convention.

Q. Did you attend any meetings held during the time of that convention, other than the meetings of the convention as a whole? A. Yes.

Q. And what meetings did you attend? A. Meetings of the district organizers with the Politburo.

Q. What was the purpose of that convention, if you know? A. The purpose of that convention was to vote a formal disaffiliation with the Communist International.

4848 Q. At the meetings you attended, which you say were attended, also, by the district organizers and by the Politburo, was the head of the Party at that time present at any of those meetings? A. The General Secretary of the Party was present, if that is what you mean by "the head."

Q. Who was the General Secretary of the Party at that time? A. Earl Browder.

Q. Did Earl Browder participate in any manner? A. Yes.

Q. At those meetings? A. Yes, he did.

Q. What did he talk about? A. He talked about the purpose for which the convention was held, the relationships between the Communist International and the Communist Party of the United States in the past, the present and the future.

Q. Did he say anything about the matter of disaffiliation of the Party from the Communist International?

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4849 Q. The question was, Mr. Crouch, did Mr. Browder say anything about disaffiliation of the Party from the Comintern? A. Yes, he did.

Q. What did he tell the meeting of the Politburo and the district organizers on that subject? A. Mr. Browder stated, in substance, that the passage of Federal legislation known as the Voorhees Bill, I believe, made it necessary for the Communist Party to either register as a foreign agent, which it was unwilling to do, or to vote a formal disaffiliation from the Communist International.

Q. Did he say anything about the effect this disaffiliation would have upon possible future relations with the Communist International? A. Yes, he did.

Q. What did he say on that subject? A. He said that the actual relations of the American Communist Party to the Communist International would remain exactly the same in the future as they had in the past, that the
4850 American Communist Party would continue to be guided by the Communist International and that because of the political development of the American Party

that the matter of formality in the relationships was no longer necessary as it had once been.

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Q. I believe you stated you were district organizer at the time you attended this meeting. Did the district organizers in attendance at that meeting acquire any particular duties relating to the policies set forth by
4851 Mr. Browder? A. Mr. Browder assigned us duties in connection with that.

Q. Yes. What duties did you acquire? A. To go back to our respective districts and explain the reasons for disaffiliation to the political leadership in our respective districts.

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4852 Q. I asked the names of these representatives of the Comintern and the approximate dates that each person named was in this country. A. Mr. Pepper was one in this country in 1928 and I believe very early in 1929. 1928, definitely. In the early 30's, in 1932, possibly 1933, a Russian named Mikhailovich, I believe, who is known under the name of Williams, and he was followed by a representative—I don't recall meeting him personally—who was known in the Party under the name of Edwards.

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4853 Q. Did you know John Pepper, did you ever meet him? A. I first met John Pepper in Moscow at the Lux Hotel. I participated in the meetings of the executive committee of the Communist International in January, 1928 with him, had discussions with him and other officials of the Communist International together and after my return to the United States I met him at meetings of the Central Committee where he was introduced by William Z. Foster as the representative of the Communist International.

Q. Did you ever know Mikhailovich personally? A. Yes.

Q. Will you relate the circumstances under which you knew him? A. I first met Mikhailovich in January of 1928, in the Executive Committee of the Communist International in Moscow and met him next at Central Committee meetings where he was introduced as a representative of the Communist International at Communist Party Committee meetings, Commission meetings.

Q. Did you know him as Mikhailovich or Williams? A. I knew him in the Soviet Union as Mikhailovich and in the United States as Comrade Williams.

4854 Q. You stated that you did not meet Edwards. Would you relate what information, if any, you had concerning the presence of one Edwards in the United States? A. At Central Committee meetings and commissions of the Central Committee, Earl Browder, General Secretary of the Communist Party, relayed instructions that he stated were given as instructions of Comrade Edwards, a representative of the Communist International and in addition to this there was direct discussion among the district organizers regarding Comrade Edwards, Communist International representative.

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Q. Did you ever know an individual during the time you were in the Communist Party, as an official, known to you as Smith? A. Yes, I did.

Q. Did Smith have any other names? A. Yes, he was known among Party leaders under the name of Peterson.

Q. In what way did you know Smith? How well did you know him? A. I knew him very well over a period of some months. I worked with him daily.

4855 Q. And what was Smith's duty or duties in the Party? A. Smith's duties were two-fold—

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The Witness: The time I knew Smith, also known as Peterson, was during the fall months of 1929 and January of 1930, place, 43 East 125th Street, New York City, Second Floor, National Office of the Communist Party.

What was the rest of the question?

By Mr. McKittrick:

Q. What were his duties. A. His duties were to act as the representative of the Communist International and, also, to act as organizational secretary of the Communist Party of the United States.

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4859 Q. You referred previously to representatives from the Communist International to perform special tasks in this country. Would you name any of such representatives whom you may now recall, the dates they were in this country, and the functions they performed here? A. First, a special representative for a

4860 specific field, I recall, was Louis Gibarti and the second name I recall—

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The second man was Jonas J. Peters, whom I knew from approximately 1934 until I left the Communist Party.

Q. What was Louis Gibarti's assignment or duty in the United States? A. Louis Gibarti's duties in the United States were to act as a representative for the Anti-Imperialist Commission of the Communist International, internationally headed by Willie Munzenberg, and also to set up the Workers International Relief in the United States and direct its activities and to carry out certain cultural activities, such as promotion of Soviet movies in this country.

Q. What was J. Peters' function here? A. J. Peters' function was to direct, was to organize underground apparatus of the American Communist Party and direct this and confidential field work, and, also, to aid in the organization of the Abraham Lincoln Brigade.

Q. Did J. Peters publish any documents pertaining to the Communist Party during the time he was in this

4861 station? A. Yes, he wrote a document.

Q. Yes. What did he write? A. He wrote a document published by the Communist Party or through the Communist Party's publishing house, Workers Library Publishers, a document called "The Communist Party Manual on Organization."

4862 Q. Did you personally do anything as an official of the Communist Party directly related to Peters' activities in this country? A. Yes, I did much related to Peters' activities and under his direction.

Q. What did you do? Incidentally, in giving the answer, will you give us the approximate dates of any action you took? I would appreciate it. A. In 1934 to 1937, inclusive, while I was a district organizer of the Communist Party of the Carolina District with headquarters at Greensboro, North Carolina, and Charlotte, North Carolina, I met regularly four or five times a year, at least, with J. Peters in New York City, receiving directions from him on the mail communications between the District and the national office, giving many of his directions to his assistants, the addresses in the district to which mail was to be sent, receiving the confidential addresses in New York to which I was to send mail, receiving from him numbered receipt books to be used to check against any loss of mail; received from him detailed explanation of the codes in use by the Party; received from him the code books to use in confidential communications with the central office.

I received from J. Peters and under his direction the setting up of an underground apparatus in the Carolina district in the 1934 to 1937 period, naming a pro-
4863 fessor at the University of North Carolina, a professor Ericson, Spartacus was his Party name, as a reserve district officer, giving him, relaying to Professor Ericson direct information to me as to how the Party confidential apparatus was to be set up and setting up the apparatus in the sections in which the Party would work as an underground organization in case of necessity.

My next contact with Peters was in Birmingham, Alabama, from March, 1938 until September of 1939, when I was chairman of the control commission of the Communist Party for that district, and together with Robert Hall, the district organizer, met with Peters on a number of occasions in New York City regarding the underground apparatus in the district and in consultation with Rob F. Hall and Joseph Gelders, who were associated with me in the underground fields of work.

We named a man, a Party member named Sam Hall, as the reserve organizer for that district who was to take over leadership in case that the Party should go underground.

Our next contact with Peters was between September, 1939, and April, 1941.

While I was living in Knoxville, Tennessee, as district organizer of the Communist Party for Knoxville, I met with Peters four or five times a year during this period, exchanging addresses for confidential correspondence, receiving code books from him, receiving directives for the underground apparatus in the State of Tennessee, and submitting to him the names of the
4864 people I had named to the underground committee,
which was headed by a Professor David Robison, a white professor at Fisk University, Nashville, Tennessee, whom I had named as the reserve district organizer with Peters' approval.

Also I received from Peters in this period instructions that if the Party should go underground, that I should make every effort to reach Mexico and contact the Communist Party there and try to avoid being picked up. I was also instructed by Peters to keep a reserve emergency fund on hand for use in underground periods and for my expenses in making a getaway.

I was also instructed by Peters that I should have a reserve hideout in the state and for this purpose I selected a farm approximately five or six miles out of Nashville, Tennessee. I don't recall the name of the owner of the farm. As I recall it, it was south or southeast of Nashville.

These were the major steps I had taken under the direction of J. Peters.

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4865 Q. With respect to your contacts with J. Peters, did you ever receive any instructions pertaining to the underground organization of the Party as to the 4866 number of persons in any particular unit of the party? A. Yes.

Q. What were those instructions? A. The instructions were that for the purpose of functing underground, the Party must be divided into units, into what he called groups or the group system, of not more than five members in each group, of whom one will be the captain of the group.

Q. During the time you were district organizer of the Communist Party, at the various places you testified you served in that capacity, did you ever personally attempt or bring about the organization of the Party in those areas in the manner specified?

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The Witness. Yes. In some places, and in some places partially. By "partially" I mean that in some places instead of actually dividing the members into the groups, I instructed the section organizers how they would be divided in case the Party went underground.

By Mr. McKittrick:

4867 Q. Would you describe for the Board the manner in which the Communist Party was organized in Alameda County, California, during the time you served as district organizer there in 1941 and 1942? A. Alameda County of California, from the time I took charge as county organizer, May 1, 1941, until I handed over the position to my successor, Steve Nelson, in January, 1942, was, first, that the Party was organized in units or clubs anywhere from three to fifteen or more members. These clubs were then organized into sections with a section committee, section organizer or section committee at the head, these sections being of three types.

The first type was by geographical area. There was an East Oakland Section, a West Oakland Section, a Berkeley Section, about four territorial sections.

The second type of section was the industrial section. One section was composed of leaders in unions, leaders in the C. I. O., leaders in the A. F. of L. unions, and the workers who were employed in certain industries. The workers who were employed in certain basic steel, shipbuilding and allied industries belonged to this industrial section.

The third was what we call a special section very distinct from the others, composed of the following units: One unit of government employees, Federal, State, County, Municipal. Secondly, important professions, attorneys, like Mr. Frank Pestano—that is the only name that
4868 I recall from that, or that I even knew—and several other attorneys, doctors, professionals. The third were the professors at the University of California. The fourth were the employees at the radiation laboratory at the University of California and early in the fall, in the late summer or fall of 1941, a fifth unit of the special section was organized, composed of employees at the Shell Development Corporation then engaged in highly confidential work for the Government.

Q. Did you ever attend any meetings of this fourth category you just mentioned, being professors of the University of California? A. Yes, I did.

Q. Would you relate how you arrived at any meetings you may have attended and where they were held? A. This fourth category was not confined to the University alone. The groups—there were two groups at the University, one was the Professors' branch and the other the radiation laboratory. There were these other branches that I mentioned.

I went to these various branch committee meetings from time to time accompanied by Kenneth May, a member of the County Secretariat, who was placed in specific charge of the organizational and practical work of these units for the purpose of giving political reports on the Party line.

4869 I was never given the addresses of the meeting places, I was taken by roundabout ways. Great effort was made by Kenneth May to prevent being followed. He would go around and around in circles and watch to see that no car was following and go twice as far as necessary to reach the meeting places, which were always held at night.

I was not introduced to the people by their real names, I only named some of the real names like Mr. Frank Pestan—

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Mr. McKittrick: Where they were held.

The Witness: They were held in homes where I did not know the names of the residents and I was taken to these meeting places by the roundabout means that I have described.

By Mr. McKittrick:

Q. Yes. Now, you have referred to codes being used at the time you were district organizer and these various assignments.

4870 Will you describe very briefly for the Board the code system which was employed in any particular time, to the best of your ability?

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The Witness: The first code in 1934 for a brief time was based on a series of squares from which letters would drop down. I don't recall the exact mechanics of it. It was quickly discarded as being the type of code which, according to Peters, could be broken down by the frequency method.

Thereafter, we used for our communications a book code system by which we would use a series of numbers. The

first number would mean the page of the book in which a
word was down, the second figure would mean the
4871 line, and the third figure would mean the number of
words in the line where it was used. Sometimes this
method was transposed into letters to make deciphering more difficult and instructions were also given that after so many words a certain number of meaningless figures or letters should be inserted to make decoding more difficult.

One book was in the possession of the Central Committee and one book, an identical book, was in the possession of the District Organizer. When we received a message in code, we would take our book and use the same method for deciphering.

By Mr. McKittrick:

Q. Did you ever receive any instructions from Peters pertaining to the method for publishing Communist Party literature during the underground period? A. Yes, I received both the instructions and I received the practical apparatus and mechanism for doing it.

Q. What instructions and what apparatus was received? A. I received these instructions from Peters regarding the publication of material, number one, that we should try to have reserved printing presses in our district, if possible, and in the Carolinas this was successful. We did have an underground print shop at Chapel Hill, North Carolina, one undeground printing shop, financed largely by the Central Committee of the Communist Party.

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4873 Q. Mr. Crouch, after receiving these instructions,
what, if anything, did you do? A. I gave Peters the funds for the purchase of the special portable mimeographs at a rate—I don't recall the exact amount, it was less than five dollars per mimeograph, to be stored in private homes. I purchased supplies of mimeograph papers, stencils, styluses, stored them in various private homes,

and I proceeded to turn over to Mr. Alton Lawrence, a member of the District Bureau of the Communist Party and State Secretary of the Socialist Party of New York, the funds that were to be spent for the purchase in his name and the name of Mr. Matthews of a printing plant at Chapel Hill, to be used by the Communist Party
4874 underground conditions.

Q. You mentioned previously instructions concerning accumulation of underground reserve funds. Did you personally ever have anything to do with any such reserve funds? A. I kept small reserve funds, not exceeding one hundred dollars, in Tennessee, and in California I took over, on my arrival there, funds of about $1500, as nearly as I can recall, added to them while I was county organizer, and turned over a little over $2000 in a reserve fund to my successor, Steve Nelson.

Q. Did you ever receive any instructions pertaining to communication between various underground groups from these—

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4875 The Witness: The instructions received were that the reserve organizers in each district were given code words, by which they were to recognize the couriers sent out to them by the reserve central committee of the Communist Party that would operate in underground conditions, that transfers of members that were necessary should be made through this underground system but without anything in writing, that the cards, a filing card should be torn in two and a half given to the member who was being transferred to another district, the other half would be sent through the courier system to a district organizer and these would be compared as proof that he was the individual who was being transferred.

The names would be sent by the code system through the couriers to central office, and from the central office to the other district, and that in general that the policy of correspondence under underground conditions should be reduced to an absolute minimum and that the courier system should be used for communication purposes.

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4915 Q. Have you ever known a person by the name of Nicholas Dozenberg? A. Yes, sir, I once knew Nicholas Dozenberg very well.

Q. When did you first meet Nicholas Dozenberg? A. I first met Nicholas Dozenberg—when?

Q. When? A. In late September or early October, 1927.

Q. Where did you meet him? A. In what was then the national office of the Communist Party, Chicago, Ill.

4916 Q. What was Nicholas Dozenberg's position, at that time, if you know? A. Nicholas Dozenberg's position at that time was national organizational secretary of the Communist Party.

Q. Did he acquire any other duties after you first met him? A. Yes.

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Q. Did you see Nicholas Dozenberg at any time after that first meeting? A. On many occasions after.

Q. Were those meetings with Nicholas Dozenberg in his official capacity as the organizational secretary of the Communist Party? A. They were for a brief time. Thereafter, in other capacities.

Q. In what other capacities did you know him after that brief time? A. As an agent in this country of the Soviet Secret Police, the GPU.

4917 Q. About what was the date when he became an agent of the Soviet Secret Police? A. About 1928, to the best of my recollection.

Q. Did Nicholas Dozenberg's new duties have any effect which you observed upon his relationships with the Communist Party? A. Yes.

Q. And what effect did those duties have? A. While he continued to attend the meetings of the Central Committee of the Communist Party, he did not speak and took a back seat at those meetings.

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4927 Q. I believe, Mr. Crouch, the pending question was how you learned of Mr. Dozenberg's assignment as an agent of the Soviet secret police in the United States. A. From Mr. Dozenberg.

Q. What did he tell you about his assignment? A. He told me he was an agent of the Soviet secret police and, therefore, could hold no public office in the Communist Party.

Q. Did you have any dealings with Mr. Dozenberg in his official capacity as a Soviet police agent? A. Yes, I did.

Q. About when and where did you have those dealings? A. Sometime in the fall of 1928, I believe, to the best of my recollection, in an apartment, luxuriously furnished, west of Central Park, New York, an apartment to which I was taken by Mr. Dozenberg.

Q. Well, what happened at that apartment?

Mr. Abt: I am sorry. I think the witness gave us the date but he didn't mention the month.

4928 Mr. LaFollette: I have forgotten the date, too.

Mr. McKittrick: Late 1928, as I recall.

Mr. LaFollette: All right. Proceed.

The Witness: Mr. Dozenberg introduced me to a man in the apartment who spoke English brokenly, introducing him as the head of the Russian Secret Police in the United States and I was introduced to him as a national official of the Communist Party and the Young Communist League. Then this official, this man who was introduced by Mr. Dozenberg to me as the head of the Secret Police proceeded to ask a number of questions primarily about the employment of Communists in Washington, in the State Department, asking if any members of the Young Communist League had jobs in the State Department where it might be possible for them to secretly obtain possession of blank passports which he stated were needed very much by the Soviet Government and I replied there were no such members and he directed me if it were possible to try to get such members employed with the State Department and they would be very very important if the Soviet Government could obtain American blank passports.

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4943 Q. Was any flag of any country or any kind ever displayed at any national conventions of the Communist Party? A. The flag of the Soviet Union was displayed at conventions of the Communist Party. I am unable to recall at this moment any convention where it was not so displayed.

Q. Well, was the American flag ever displayed at any of the national conventions of the Communist Party, to your knowledge? A. To my best recollection it was displayed in 1938 and 1940.

Q. Did you ever have any personal connection with the displayal of the American flag in connection with Communist Party activities? A. Yes.

Q. At what time and place did you have some
4944 connection with the displaying of the American flag?
A. On the fourth day of July, 1934 in the town of Helper, Utah, I authorized the flying of American flags in a parade of the National Miners Union, of which I was state organizer at the same time I was state organizer of the Communist Party.

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4945 Q. Was there any discussion of any Communist Party official concerning your use of this American flag on that occasion? A. Yes, by officials.

Q. What was the content? A. Prior to the display of it, there was considerable discussion and argument in the state leadership, some of the members objecting. I took the responsibility for ordering its display and after the parade my action was questioned—the wisdom of my action was questioned by two members of the Central Committee in New York and at the same time more serious reactions to my part were under discussion and they questioned the advisability and desirability of my authorizing it, saying that I should have found some way to have persuaded the workers that the use of the American flag was not necessary.

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4953 Q. Did you ever discuss the subject of communist allegiance with any leader of the Communist Party at any time you were an official of the Communist Party? A. Yes, I have.

Q. Will you name the time and place and the person involved in such discussion or discussions? A. I have had many discussions with several Party leaders, the most outstanding that I recall was with Robert Minor in connection with a discussion of the Spanish Civil War in which he said that, in which he told me that the basis for determining all policy must be in the interests of the Soviet Union, that that always comes first, to which everything else must be secondary, and that the sole allegiance
4954 of all Communists throughout the world is to the Soviet Union. He also, at about the same time—

Mr. Abt: I don't think we have a time and place.

The Witness: The time was during the Spanish Civil War when Mr. Robert Minor had returned, who was the American representative in Spain, had returned to this country, was making a report at a Central Committee meeting. It was sometime in early 1937 to my best recollection, either late 1936 or early 1937 and I am quite sure it was early 1937. The exact date could probably be ascertained from the Daily Worker.

By Mr. McKittrick:

Q. Did you ever discuss this matter or hear it discussed by Earl Browder, General Secretary of the Communist Party? A. I have heard Earl Browder speak about the question of allegiance, pointing out on many occasions—I don't recall the specific dates or what was said at the specific place, exactly the words, other than in 1938 when he was discussing a possible war between America and the Soviet Union. I didn't notice the exact words, but he was asked, "Is it possible for the United States and the Soviet Union to be allied together in a war against a common enemy, such as Japan or Germany, to fight side by side," and to this Browder stated, "It is possible that war 4955 might begin with the United States and the Soviet Union fighting side by side, together as allies, but the war would inevitably end in a war between the Communists and the non-Communist worlds, in which the task of the Soviet Union, in which the task of the Soviet Party must be to work for the victory of the Soviet Union and World Communism.

Q. I believe you gave us the time of that discussion. Did you give us the place? A. The time was late May, 1938, in New York City, and it was in one of the halls rented in the course of a convention, the National Convention of the Communist Party, the convention in which Earl Browder made his Democratic Front speech.

Q. On the basis of the Communist literature to which you have referred and on the basis of the discussions you have just mentioned, what did you teach as to the allegiance of Communists to the Party schools in which you participated following the dates of these discussions? A. I taught the students at the schools that the working class has but one allegiance to the Fatherland and the workers of all countries, the Soviet Union.

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4969 Q. Mr. Crouch, I will restate the question: Based on your duties, experience, and training in the Communist Party, would you state to the Board the official attitude of the Communist Party toward the United States Government in the year 1934? A. The attitude of the Communist Party in 1934 toward the American government was that the American government is a capitalist government opposed to the interests of the workers and the people, that no allegiance is owed by the people to this government as a capitalist government, and that it must be destroyed in order to provide freedom for the people of this country.

Q. You testified that you instructed at a Communist Party youth training school in 1929. On that occasion did you teach anything pertaining to the Communist Party's official attitude toward the United States government? A. Yes.

Q. What did you teach on that occasion? A. I
4970 taught that the American government is a capitalist government, an enemy government to which the workers owe no allegiance, and that it had to be overthrown by revolution in order to make possible the progress of the country to socialism and communism.

Q. You have testified that you taught at a six-week training school in New Orleans in the winter of 1936. On that occasion did you teach anything pertaining to the Communist Party's official attitude toward the United States Government? A. Yes.

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4971 Q. On that occasion what did you teach? A. I taught in 1936 that the American government is an enemy government that ultimately must be overthrown to make possible a socialist, a communist society, and that to carry out this overthrow it was necessary to make alliances with the allies, the working class, the poorer farmers, what we called the oppressed Negro people, and to establish a united front.

Q. On that occasion did you teach your students anything concerning the United States Government as a factor for keeping peace or creating war.

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Q. On that occasion did you teach anything concerning the United States Government as a factor for keeping 4972 the peace or for creating war? A. Yes.

Q. What did you teach? A. I taught that the United States was a factor, a major factor, in plotting war against the Soviet Union, although I taught that the German Government was the major threat, that the United States Government also was engaged in plots against world peace and that the United States was trying to organize a world-wide front against the Soviet Union.

Q. You have testified that you conducted week-end schools in Birmingham, Alabama, in 1936 and in 1939. Were those week-end schools held continuously during that period? A. Almost continuously. There were intervals between.

Q. During the time you were teaching at these week-end schools did you teach anything pertaining to the Communist Party's official attitude toward the United States Government? A. Yes.

Q. What did you teach? A. I taught that the American government was an enemy government which ultimately must be overthrown, but that we should not go around advertising this under the existing political and international conditions, that it was necessary to publicly take a somewhat different attitude to the government from what we had taken in the past to make alliances with liberals 4973 and progressives, at the same time within our party ranks never losing sight of our revolutionary objectives.

Q. On that occasion did you teach anything pertaining to the United States Government as a factor for keeping the peace or for making war? A. Yes.

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Q. What did you teach? A. I taught that the United States might well be a major factor for world peace if an alliance could be obtained between the United States and the Soviet Union, and particularly after President Roosevelt's aggressor speech we taught that there was a real possibility of an American-Soviet alliance during the existing period, during the period in which the Soviet Union felt itself threatened by Germany.

Q. You have testified that you instructed in a Communist Party school outside Oakland, California, in 1941. On that occasion did you teach anything pertaining to the Communist Party's attitude toward the United States Government? A. Yes.

Q. What did you teach? A. I taught that the American
Government was an imperialistic government seek-
4974 ing to plunge this country into an imperialist war
and must be opposed by the Communist Party and
its allies and those it could influence by all conceivable
active means.

Mr. LaFollette: Let me ask you, what part of 1941 did you teach?

The Witness: In May and early June, prior to June 22.

By Mr. McKittrick:

Q. You have stated that you have instructed at a Communist Party school in the fall of 1941 in Oakland, California. On that occasion did you teach anything pertaining to the Communist Party's attitude toward the United States Government? A. Yes.

Q. What did you teach? A. I taught that the Communists must publicly abstain from denunciation of the President or the Government, must support all measures taken by the Government towards military defense and call for stronger steps, must support the Government's program for aid to Great Britain and the Soviet Union and call for greater and more effective aid.

Q. What was the occasion, if any, for the change in your teaching between the instructions you gave in May and June of 1941 and the fall of 1941? A. On June 22, 1941, Hitler made a sudden surprise invasion of the Soviet Union.

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4975 The Witness: Following this invasion a district
committee meeting was held at 121 Haight Street in
San Francisco, at which William S. Foster, William
Schneiderman, and Steve Nelson, gave political reports on
a meeting of the Central Committee and on the task
4976 of the Party and directed those present of the line
which should be followed, and the line they directed
was the line I taught at the November school.

By Mr. McKittrick:

Q. Mr. Crouch, I will show you a volume purporting to be "The United Front," by Georgi Dimitroff, purportedly published by International Publishers, New York City, 1938. I will ask you if you have seen this book before? A. I have.

Q. Have you ever read this book? A. I have.

Q. When did you read it? A. After its publication in 1938.

Q. Have you seen it recently, before you saw it this morning? A. Yes. I saw it last week.

Q. How did you acquire this book originally? A. Originally a copy was sent to me on its publication as a party editor by the publishers.

Q. What was your position in the Party at that time?
A. I was editor of the New South, official organ of the Com-
munist Party for the southern states, member of the Dis-
trict Bureau of the Communist Party for Alabama,
Mississippi, and Georgia, Chairman of the Control Com-
mission of the Communist Party for that district,
4977 and an instructor in Party schools.

Q. Did you ever use this book in carrying out any of your official duties in the Party? A. Yes.

Q. In what manner did you use it? A. I used it as assigned reading and for preparing my lectures and teachings in a course in Party history in 1939.

Q. Is that the same school you referred to at Birmingham, Alabama? A. It is one of the schools.

Q. You say you have read this particular volume last week. Have you compared its contents with the original volume you read in 1938, or do you have the original volume? A. I don't have the original volume.

Q. Do you recall its contents? A. Generally, yes.

Q. Would you say this was the same or different from the contents of the original volume? A. This is the same.

Q. How was the book distributed when it was originally published, if you know? A. This book was distributed by being advertised in the Party Press, being displayed in the Party bookstores and sold through the Party's literature apparatus, that is, the books were handed 4978 down from the district to the section literature agent and the unit literature agents for sale at the Party meetings and sold at the Party school where I taught students.

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5006 Q. Did you receive any instructions from any member of the Central Committee of the Communist Party based on the signing of the Hitler-Stalin Pact? A. I received a number of specific political and organizational instructions.

Q. From whom did you receive those instructions? A. I received instructions from Jack Stachel, from J. Peters. The most of them I got from J. Peters.

Q. What year approximately did you receive these instructions? A. During the latter part of 1939 and also in 1940.

Q. Will you tell the Board what instructions you received? A. I received instructions to tighten the underground apparatus of the Party, also to keep funds on hand to proceed to the hide out place arranged for the district organizer and for escape to Mexico if possible in the event of the Party's suddenly going underground, and to

5007 see that the devices for producing leaflets, the hand mimeographs were stored in safe places, to increase the reserve supply of ink, stencils, and paper, and also—

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The Witness: And also to have organization meetings of the Communist Party conducted with greater secrecy, to divide large branches and to have the group system ready to function.

By Mr. McKittrick:

Q. Did you receive any instruction pertaining to 5008 your future communications with the Central Committee? A. I did.

Q. What were those instructions? A. To reduce all correspondence by mail to an absolute minimum, to give my political reports verbally to Rob F. Hall, who was designated as the coordinating man for the Central Committee for all the southern districts, with orders to travel throughout the south, and that I would receive my instructions from the Central Committee between central committee meetings from Rob Hall personally acting as courier instead of by mail as previously, and that I would not thereafter receive any copies of the Politburo minutes.

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5013 Q. What were the two major strikes of which you had some knowledge? A. The two major strikes were the East Bay machinists strike in May and June 1941, and the other was the North American Aviation strike at Inglewood, California, in May and June 1941.

Q. What was the labor union that conducted that strike, if you know? A. Which strike?

Q. I beg your pardon. The North American Aviation strike. A. The North American Aviation strike was conducted by the Aircraft Division of the United Auto Workers of America.

Q. At any meetings of the district bureau which you attended did you ever discuss that strike?

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5014 Q. You discussed the strike before it became a strike? Did you discuss the desirability of the strike before it occurred? A. Yes.

Q. How did you happen to discuss this strike? Under what circumstances was the strike discussed in the district bureau meetings you attended? A. Read the question back, please.

Q. Rather than that, I will withdraw the question and substitute this question:

Under what circumstances did you hold discussions of the pending strike of the United Auto Workers at the North American Aviation Company's factories? A. We 5015 discussed it on the basis of the report given by Walter Lambert, trade union director, on the situation existing there and the possibilities of a strike.

Mr. LaFollette: Will you spell that name?

The Witness: Walter L-a-m-b-e-r-t.

Mr. LaFollette: All right. Who was Walter Lambert?

The Witness: A member of the district bureau of California and the district trade union director of the Communist Party of California.

Mr. LaFollette: All right.

By Mr. McKittrick:

Q. Who was the head of the labor union, the United Auto Workers Union, involved in that strike? A. The head of the union so far as the field is concerned and directors of the strike was W-y-n-d-h-a-m Mortimer, I believe is the correct spelling. Mortimer, M-o-r-t-i-m-e-r, International representative.

Q. Was Mortimer in any way associated with the Communist Party? A. Yes.

Q. What was his association with the Party? A. Member.

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5031 Q. At the meetings of the district bureau which you attended and at which you have stated the subject of the strike of the North American Aviation Company was discussed, did the district bureau formulate any plans or formulate any demands, economic demands, for the labor union against the company?

Do you understand the question, Mr. Witness? A. I understand the question. The district bureau approved in part and modified in part and made an over-all program of economic demands to be made to the company by the union.

If you will permit me, I would like to make it clear for the record that not all of these demands originated in the bureau. Many of these demands were brought to the bureau as proposals by Walter Lambert following his conferences with the party leaders in Southern California as their recommendations, which we discussed.

5032 Q. During the course of the strike in May and June of 1941 did the district bureau at meetings you attended discuss the strike? A. Discussed it at every meeting while it was in progress.

Q. What was the gist of the discussions concerning the strike at those meetings during the course of the strike? A. The gist of the discussions was how to prolong and intensify the strike, and following the calling out of National Guards or the sending in of regular troops, sending in of some military forces to the strike area, we discussed the question of how far we should go in clashes with the American armed forces and decided against the advisability of any large-scale forceful clash at that time.

Q. About when did the strike terminate? A. It terminated, as nearly as I can recall, about a week or ten days after the invasion of the Soviet Union on June 22.

Q. The invasion of the Soviet Union by— A. By Hitler.

Q. Did the district bureau at any meetings you attended discuss the termination of the strike following the invasion of the Soviet Union by Hitler? A. Yes. At the first

meeting of the district bureau following that invasion
5033 we gave orders to district bureau member and trade
union director Walter Lambert to proceed immediately to Inglewood and, in the language of the bureau, liquidate the strike. to bring it to an immediate end.

Q. What was the purpose of the Communist Party, if you know, in attempting to bring about the termination of the North American Aviation strike? A. The purpose of bringing about the termination of the North American Aviation strike was to get production under way at once of military planes for Great Britain and the Soviet Union, planes for the United States armed forces.

Q. While you were an official of the Communist Party did you ever know any person by the name of Eugene Dennis? A. Yes, I knew Eugene Dennis very well over many years.

Q. Is that the same Eugene Dennis who has very recently been national secretary of the Communist Party? A. Yes.

Q. What positions, if any, did Eugene Dennis hold in the Communist Party during the time you were an official in that party? A. He was district organizer of the Milwaukee district, member of the central committee—

Mr. LaFollette: Can you give us the years as you go along?

The Witness: He was district organizer in the mid-thirties in Milwaukee, Wisconsin, and shortly there-
5034 after in the period around 1936-37, that is the approximate period, I don't recall the exact period, was legislative secretary for the central committee assigned to work in Washington, D. C., on legislative matters and to work with the Federal Government units of the Communist Party. He was a member of the Central Committee throughout from the early thirties until I left the Communist Party.

By Mr. McKittrick:

Q. While you were an official of the Communist Party did you ever know any one by the name of Gilbert L. Parks? A. I knew Gilbert L. Parks well from about 1935 to 1939.

Q. Did you have any dealings with Gilbert L. Parks in 1937? A. Yes.

Q. What dealings did you have with him during that year? A. I had both personal and political dealings with Mr. Parks during 1937. He served on the district bureau of the Communist Party for the Carolina district, was in charge of organization in South Carolina for the Communist Party, and when it was necessary in the fall of 1937 for me to take a physical rest, provided me with a cottage free of charge on his large farm at Cat Island, South Carolina, and while I was at Cat Island my wife and I belonged to the same unit with Gilbert Parks and his wife and
5035 two other members. Also during that period he attended a conference of the Communist Party at Chattanooga, Tennessee, with Earl Browder as the chief representative from the Central Committee, and upon his return reported to the unit meeting on the proceedings of that conference. Then I had further dealings with him the next year, but this covers the major events of 1937.

Q. What was the nature of Gilbert L. Parks' report on the meeting he attended about which you have just testified? A. His report was that Earl Browder and the conference of southern party leaders at Chattanooga had worked out on the basis of central committee decisions a new line for the Party that no longer were they the revolutionary slogans to be advanced so openly, that the Party was to try to get on the New Deal bandwagon, that they were to make friends with liberals and progressives and try to draw them into fronts, that the American flag was to be displayed at Party gatherings, and in general that the revolutionary language for the duration should be played down because of the need of a collective security program, of drawing America into collective security as an ally of the

Soviet Union against Hitler, and for this reason it was necessary to try to win the good will of the Administration.

Q. Did you ever hear Mr. Browder's report discussed by any other official of the Communist Party? A. Yes.

5036 Q. By whom? A. By Rob Hall and Joseph S. Gelders, upon my arrival at Birmingham in March of 1938.

Q. After learning of this report from Parks, Hall, and Gelders, did you do anything as a party official on the basis of this report? A. I did.

Q. What did you do? A. One of the first things I did was to pull from the masthead of the official Communist organ for the South the line "published by the Communist Party" and substituted for it "published by the New South Publishing Company." I changed the editorial policies of the New South to conform to this new line, playing up President Roosevelt and every speech he made. I also took part in planning the Southern Conference for Human Welfare at Birmingham, Alabama, which matured in November of that year. I visited the university professors to put over this Party line, to involve them in carrying out of this line and bring them into party front activities.

Mr. LaFollette: What university?

The Witness: The University of Alabama was one example. I visited Professor Thomas in the Department of History at the University of Alabama, and several other professors I can not recall. I had long discussions with them in an effort to convince them that it was necessary for the United States to establish a collective security line with the Soviet Union. 5037

By Mr. McKittrick:

Q. While you were an official of the Communist Party, Mr. Crouch, did you obtain any information concerning the so-called treason trials conducted in the Soviet Union in or about the year 1937?

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5038 The Witness: Yes, between the years of 1936 and '38.

By Mr. McKittrick:

Q. How did you acquire your information on this subject? A. From the Soviet published transcript of the proceedings of those trials distributed through the United States by the Communist Party on district levels, section levels and down through all the branches, where I had to study these documents and had to teach the Soviet Version of these documents to the entire membership of the Party or see that it was done.

Mr. LaFollette: In what language were they published?

The Witness: These were published in English, the first editions being marked by the State Publishing House, Moscow, and later once being published in New York without any identification as to where they were printed.

By Mr. McKittrick:

Q. Did you ever receive any instructions from any member of the Central Committee concerning what you should do as a Communist official in relation to those trials? A. Yes, I received many instructions from several committees of the Communist Party with regard to what I should do. 5039

Q. Would you tell the Board the name of any particular official who gave you instructions? A. Earl Browder, Jack Stachel, William Weiner were three of several who gave me such instructions.

Q. What instructions did you receive? A. I received instructions to distribute the Soviet-edited transcript of the proceedings throughout the Party, to organize discussions or have discussions organized in every branch of the Party, to picture the dozen or more Soviet Communist or former Communist officials as traitors, agents of the bourgeoise, Nazi spies, and other such terms to the membership of the Party; and also I was instructed to try to get any trade unions or mass organizations under Party influence to pass resolutions endorsing the conviction of these individuals by the Moscow courts.

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5041 Q. While you were an official of the Communist Party did you ever know any person by the name of John B. Williamson? A. I knew John B. Williamson well from the fall of 1927 until I left the Communist Party.

Q. Is that the same John B. Williamson now an official of the Communist Party? A. Yes.

Q. What positions, if any, did John B. Williamson hold in the Communist Party during the time that you knew him? A. From the fall of 1927 until the spring of, until May of 1929, he was a fellow member with me of the district bureau of the Young Communist League, and national trade union director of the Young Communist League. He was a fellow delegate with me at Conventions of the Communist Party in 1929, 1934, and several subsequent conventions. I don't recall the exact dates of the others. He was a member of the Central Committee during most of my membership in the Communist Party from the early thirties on until I left the Party. He was district organizer of the Communist Party for Ohio during most of my latter membership in the Communist Party.

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5115 Q. Mr. Crouch, I will hand you Petitioner's Exhibit No. 31, and ask you if you have ever seen a similar document before? A. Yes, I have seen both this document and many earlier printings and editions of the same document, since I was 12—11 years of age.

Q. Did you make any use of that document during the time you were an official of the Communist Party? A. Yes, throughout the period.

Q. What use of it did you make? A. I used it as a textbook in Party schools I taught. I had it sold. I organized the sale of it through the Party literature apparatus. I used

Party funds to purchase it and distribute it free to prospective recruits for the Communist Party, and in every way possible promoted its sale and distribution.

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5116 Q. I will show you, Mr. Crouch, Petitioner's Exhibit No. 121, being "Foundation of Leninism," by Josef Stalin, and ask you if you have ever seen a similar volume or similar book before? A. I have seen both this volume, identical in appearance and contents with this, a duplicate of this; and also earlier editions, in different formats, of the same book.

Q. Did you ever read the book while you were an official of the Communist Party? A. I did.

Q. Did you make any use of the book, apart from reading it, while you were an official of the Communist Party? A. Yes.

Q. What use did you make of that book? A. I used it as a textbook in Party schools. I organized its sale and distribution in every possible manner through the Party apparatus.

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5117 Q. You say you have promoted its sale. When and where, approximately, did you carry on that activity with respect to this Exhibit 121? A. This particular edition, from the time of its publication, around 1939, until I left the Communist Party; and earlier editions in previous years while I was in the Party. I don't recall the exact years.

Q. I will show you, Mr. Crouch, Petitioner's Exhibit No. 125, being the "Program of the Communist International," and ask you if you have ever seen a similar document before? A. What is the question?

Q. Have you ever seen a similar document before? A. I have.

Q. Did you ever read that document while you
5118 were a member of the Communist Party? A. Yes.

Q. Did you ever make any use of it in addition to reading it? A. Many uses.

Q. What use did you make of it while you were an official of the Communist Party? A. Textbook, as a guide to my own Party work and the line I should follow in my Communist activities, in teaching to students, assigning it to them as reading material, and organized the sale and distribution of it through the Party.

Q. I will show you, Mr. Crouch, Petitioner's Exhibit No. 138, being "Problems of Leninism," by Josef Stalin, and ask you if you have ever seen a similar document before? A. I have.

Q. Did you ever read this book while you were an official of the Communist Party? A. Yes, I read it and reread it many times.

Q. Did you make any use of it in addition to reading it? A. I did.

Q. What use did you make of it? A. I taught from it, assigned it as reading material to students, organized its sale and distribution in the Communist Party, and displayed it for sale in book stores under my jurisdiction.

Q. Would you name one specific book store in
5119 which it was displayed? A. The Communist Party
book stores at Berkeley, California, just off the Campus, and a book store operated in connection with the Party Headquarters on Broadway, Oakland, I believe it was 10th and Broadway.

Q. I will show you Petitioner's Exhibit No. 139, entitled "State and Revolution," by V. I. Lenin, and ask you if you have ever seen a similar document before? A. I have seen a document with the same contents in several paper-bound editions. I don't recall seeing it in this particular binding.

Q. I am referring primarily to the contents, of course. You say you have seen that document in a different form? A. Yes.

Q. Is that your testimony? A. Yes, since 1925 or '26.

Q. Did you ever read this book while you were an official of the Communist Party? A. Yes, I read and reread it a number of times.

Q. Did you make any use of it in addition to reading it? A. Yes.

Q. What use did you make of it? A. I taught from it in Communist Party schools; I organized its sale and
5120 distribution. I used Communist Party funds to purchase copies of it for prospective recruits for the Party. I promoted its sale and circulation in every possible way while I was a Party member.

Q. Mr. Crouch, I will show you Petitioner's Exhibit No. 140, being "Imperialism, the Highest Form of Capitalism," by V. I. Lenin, and ask if you have ever seen a similar document before? A. I have.

Q. Did you ever read that book while you were an official of the Communist Party? A. Yes.

Q. Did you make any use of it in addition to reading it? A. Yes.

Q. What use did you make of it? A. I organized and promoted the sale of this through Party book stores and the Party literature apparatus, especially in Alameda County, California, and I used it as a textbook in connection with my lectures on the subject of imperialism before the Communist Party training school in November, 1941, at the Finnish Hall, Berkeley, California.

Q. I show you Petitioner's Exhibit No. 142, being a book entitled, "Why Communism?" by M. J. Olgin, and ask if you have ever seen a similar volume before?

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5121 The Witness: I have seen this in several English language editions and have read it. I have read it in a Spanish language edition. I have seen an Italian language edition of it. I saw part of it in manuscript before its publication. It was shown to me by the author.

By Mr. McKittrick:

Q. Did you make any use of it while you were an official of the Communist Party? A. I did.

Q. What use did you make of that? A. I used this for educational classes in Party units, purchasing and distributing copies of it for recruits to the Party. I used it in Communist Party schools as a textbook, the first time that I can recall being in the winter of 1936, and the last time that I recall being in May-June of 1941. I have used this as a guide in preparing political reports to the Party, in preparing my lectures at public meetings on the subject of Communism, and I have organized its sale and distribution in every possible way through the Party.

Q. I show you Petitioner's Exhibit No. 144, being a book entitled "The Communist Party in Action," by Alex Bittelman, and ask if you have ever seen a similar volume
5122 before? A. I have.

Q. Did you ever read that book while you were an official of the Communist Party? A. Yes, several times.

Q. Did you make any use of it in addition to reading it? A. Yes.

Q. What use did you make of it? A. I used this for sale and distribution at Norfolk, Virginia, to the Communist Party and the International Workers Order. I conducted classes in it for members of the Party at Norfolk, Virginia. I used this in Utah in 1933 for Party educational material, guidance for the members; and after organizing a new section of the Party in Carbon County, Utah, in 1933 and 1934, early 1934, I used this for new members' classes and assigned reading for the newer groups in the Party; and organized its sale and distribution generally through the Party.

Q. I will show you Petitioner's Exhibit No. 145, being a book entitled, "The Communist Party, A Manual of Organization," and ask if you have ever seen a similar volume before? A. Yes, I have.

Q. Did you ever read that book while you were an
5123 official of the Communist Party? A. Yes.

Q. Did you make any use of it in addition to reading it? A. Yes.

Q. What use did you make of it? A. I used it for distribution through the Party's literature apparatus to the officers and members of the Communist Party. I used it in Party schools. I used it as a general guide to my own organizational activities as an official of the Communist Party.

* * * * * * * * * *

5133 Cross Examination

* * * * * * * * * *

5144 Q. Yes. You wrote a letter to the United States Senate Committee which was investigating immigration and naturalization on September 23, 1949, did you not? A. I did.

5145 Q. In that letter you attached a list which was prepared by you purporting to be a list of Communist International and OGPU agents in the United States, did you not? A. At least part of them, yes.

Q. Well, let's see. Did you write this letter, Mr. Crouch?

"Miami Daily News, Miami, Florida, September 23, 1949.

"Subcommittee to Investigate Immigration and Naturalization, Committee on the Judiciary, United States Senate, Washington, D. C.

"Gentlemen: I am enclosing Section 2 of the list of Communists I have known during the years I was a member of the Party. This section, including 118 names, is of important national and district officials and leaders of the Communist Party. Most of them are avowed Communists or have been publicly identified with the Party. Only those I personally know as Communists are included. Such leaders as Thompson of New York and Hall of Ohio are not included because I did not personally know them. I have not included anyone who has to my knowledge broken with the Party, but it is probable that some of them have left the Party without public announcement or without publicity having come to my attention. It has been reported re-

cently that Max Bedacht and James W. Ford have
5146 been expelled but I have no definite confirmation, so
their names remain on the list. (Some may now be
out of the country.)

"A short list of former Communist Iinternational and OGPU agents also is enclosed.

"Respectfully yours, Paul Crouch."

Did you write that letter to the Senate Committee? A. It sounds like it. To my best recollection, I did.

* * * * * * * * * *

5147 Q. Let me show it to you so there will be no ques-
tion whether or not you wrote it. I now show you
page 159 of the hearings before the subcommittee on Im-
migration and Naturalization of the Committee on the Ju-
diciary, United States Senate, 81st Congress, First Session,
on S. 1832, A bill to amend the Immigration Act of October
16, 1918 as amended, dated May 10, 11, 12, 13, 16; June 1,
8, 9, 15; July 15, 16, 27, 28; August 10, 11, 12, 1949. And I
call your attention to the middle of page 150 and I
5148 ask you if this is the letter that you wrote on the
date of September 23, 1949, to the Senate Commit-
tee. A. It certainly is.

Q. Is that the letter? A. Yes, it is.

Q. And underneath that letter, underneath your name, there is a list "Communist International and OGPU agents in the United States." A. Yes.

Q. And underneath that heading follows the name Louis Gibarti. A. Correct.

* * * * * * * * * *

5150 Q. Did you include Peters' name in the list of CI and OGPU representatives that you furnished the Senate Committee? A. I don't recall, but I don't believe that he fell in the classification of secret agents, but he also fell into another classification. I don't recall which classification I placed him in. I think I probably placed him in one of the two classifications. I don't recall now. I would have to examine the document.

Q. Did you put him in the classification of Communist International and OGPU agents in the United States? A. I do not believe I did. I am not certain.

Q. I will show you the list, Mr. Witness, that you submitted. First I will call your attention to page 159 and ask you if under the list "Communist International and OGPU agents in the United States," the name of Peters appears there and if you submitted that name in that list as agents. I am not asking you about the next page. The next page does not deal with this list. Am I correct, Mr. Witness? A. Correct.

Q. Yes. A. Under that I did not place his name under that particular heading as shown in this printed copy.

Q. You did not. Gibarti was not as active and as
5151 prominent as you say Mr. Peters was, was he? A.
From the public point of view, by no means, and in
the general membership of the Party by no means.

Q. Yes, but you listed Gibarti in that list, did you not? A. Yes. He fell in a different classification from Mr. Peters.

Q. You did not list Mr. Peters. You say you might have listed him in the other list, in some other list? A. I may have. I don't recall.

Q. Let's see if you list him in the other category, "Important National and District Leaders of the Communist Party." I show you page 160 of the same hearing, and you will find on this page a list with the heading, "Important National and District Leaders of the Communist Party." Is that the list that you submitted, Mr. Witness? A. It is.

Q. I now ask you to look at that list and show me if you find the name of Peters. A. Reading it over, I don't.

Q. You testified about Peters, did you not, on May 16, 1949, in a hearing before the Senate Subcommittee? A. I don't recall. I probably did, but I do not recall.

Q. You had a prepared statement before that subcom-
mittee that you read. Do you recall reading the pre-
5152 pared statement? A. Yes, I recall reading a pre-

pared statement and answering questions in addition.

Q. And your testimony on Peters was contained in the same statement that you read, was it not? A. I do not recall. If I might refresh my recollection by reading the transcript, I can answer your question. I can't answer from memory.

Q. Yes. I will show you your own testimony, Mr. Witness, On page 134, commencing here (indicating), "Mr. Crouch," and read on. Will you read that for the record and see if that refreshes your recollection as to what you said about Mr. Peters? A. "Mr. Crouch: Because he was for years the head of the Communist Party's underground apparatus in this country, the man who gave instructions to me on how to set up illegal apparatus and maintain it in readiness for going underground at any time was J. Peters."

Q. Now, Mr. Witness, right at that point, will you show us there where you identified him as a representative of the Communist International? A. I was not using those words in the testimony as given. I said he was the head of the Communist Party's underground apparatus, which I think was quite clear to the committee. I was speaking to men who are not amateurs in such matters and who don't have to be addressed in ABC language.

* * * * * * * * * *

5161 Q. You testified specifically on May 6, 1949, with respect to Peters before the House un-American Activities, did you not? A. I testified in a period from about May 3 to May 8, I believe, daily, before the House Committee and I do not recall—I have a general recollection that the subject of Peters came up at different times, but I don't recall what dates. I also testified on several days around May 26, before and after May 26, and I don't recall, his name probably came up there, but I don't recall specifically.

* * * * * * * * * *

5162 Q. To help refresh your recollection I now show you the testimony of Paul Crouch, hearings before the Committee on Un-American Activities, House of Representatives, 81st Congress, May 6, 1949. I call your attention to page 206. You were asked the question about Peters. Mr. Mandel examined you, isn't it true, with respect to Peters, now that you look at it? A. It is
5163 obvious that these particular questions were asked by Mr. Mandel. The record so shows.

* * * * * * * * * *

5172 Q. Did you at any time in your testimony on May 6 before the Un-American Activities Committee re-
5173 fer to Mr. Peters as a CI representative? A. I don't know.

Q. You have that testimony before you, have you not, Mr. Witness? A. I have.

Q. Examine it and show us where at any time you referred to Mr. Peters as a CI representative, anywhere in that testimony from the very first page to the very last. A. On page 219 it makes it clear. The last paragraph, page 219, states that this is not the complete testimony I gave on that date. So I don't know whether it may be in the testimony that is not included in that I gave on that. I don't know.

* * * * * * * * * *

5174 Q. You have the testimony before you. A. I have before me pages 181 to 219 inclusive.

Q. From pages 181 to 219, inclusive, did you ever refer to Peters as a CI international representative? A. I don't know.

* * * * * * * * * *

5211 Q. So, Mr. Witness, at this time you do not remember a single occasion in all of the times that you have testified prior to your conference with Mr. Lenvin in which you mentioned Mr. Peters as a CI representative?

* * * * * * * * * *

The Witness: My best recollection is that I have referred to Mr. Peters quite a number of times and have discussed various aspects of his work in the United States as a Comintern representative and as an agent of the Soviet Secret Police. However, due to the tremendous volume of testimony, I cannot recall what I said specifically. The records will speak for themselves. Go to the records.

* * * * * * * * * *

5212 The Witness: I described Mr. Peters' task as a CI representative and I will be very glad to read you now if you wish how I described his role which was recognized by the McCarran Committee as a description of him as a Comintern representative.

* * * * * * * * * *

5213 Mr. LaFollette: Just read what is there now.

The Witness: I stated: "The vast majority of those persons who direct the United States branch of the Communist International are foreign-born persons who are not naturalized citizens of this country. Men like J. Peters, William Weiner, Jack Stachel, John Williamson, Bill Gebert—the latter now a high official of the Polish Government—are the men who really have run the Communist Party in this country in the past. Native-born and naturalized American Communists, in the main, are nominal party officials and are used mostly to head the various party fronts."

And I have to use the index to find out. On page 132 in describing his role as a Communist International representative—

* * * * * * * * * *

5214 The Witness: I stated in answer to the question by Mr. Arens, "What would have happened had you disobeyed?

"Mr. Crouch. My opinion is that I would have been imprisoned and probably shot.

"The Chairman. Go ahead.

"Mr. Crouch. The effort to save Eisler from even a short term in an American jail is striking indication of how important he is to the Russian Politburo. Gentlemen, Eisler was in this country for years. Peters, Weiner, Stachel, and other nonnaturalized citizens were the real heads of the Communist Party in this country, subject to Moscow's orders, of course. They were here for years without interference from the immigration authorities in this country, despite the constant efforts to build an apparatus for the overthrow of the Government."

And on page 138, in answer to a question by Senator Langer, I said: "Well, I might name, for example, such names as George Siskind. There are many other people, but most of my work in that period was in contact with top party leaders. Bill Gebert was one of those. When I went to New York, most of the time I was in New York was spent in discussions with Brown, whom I mentioned also by the name of Alpi, with Stachel, Weiner, Peters, and the various other men to whom I reported on the work I was doing, and received directions from them, discussed political line tactics, and things of that kind." 5215

Then there is a reference also to him in connection with the Communist Party leadership which I don't think need read.

These are the references in connection with the Communist International.

By Mr. Marcantonio:

Q. These are the references you say were references to Peters as a Communist International representative, is that right, Mr. Witness? A. Yes.

Q. In this proceeding you were asked by Mr. McKittrick to mention the CI representatives that you knew, were you not, in this proceeding here? A. I don't recall the formulation of the question.

Q. In giving the names of CI representatives in this proceeding you mentioned Mr. Peters specifically as a CI representative, did you not? A. I only spoke of him as a special kind. I distinguished him from the people who are ordinarily identified as Comintern representatives. I identified the Comintern representatives in substance as I recall my testimony, I said there are other kinds of special representatives, people like Peters. That is as near as I can recall the general substance of it.

5216 Q. You didn't mention in that category men like Stachel, Weiner, Peters, did you? A. I cited Peters as an example.

Q. Did you mention Stachel and Weiner? A. I certainly didn't go down the list of all the people who played a part in the Comintern apparatus in this country.

Q. I am not asking you about playing a part in the Comintern apparatus. I am asking you specifically as CI representatives. A. I made it clear in my testimony that there is a great difference between the kind of CI representatives; that Gerhardt Eisler, alias Edwards, Harry Pollitt, and Dengle, who speak in the name of the Communist International, are quite distinct from the large number of special agents, and I identified Gibarti as examples of the special agents. If I had to list all the special agents, I would have added a tremendous amount of additional detail to the record.

* * * * * * * * * *

5221 Q. Did you mention in that list the names of Alpi, Stachel and Weiner? A. No. They wouldn't have belonged there. They belonged in an entirely separate classification of Comintern agents, in connection with Comintern work, separate even from Peters.

* * * * * * * * * *

5293 Q. Mr. Witness, you have testified here, have you not, to the effect that the Communist Party through its officials and in your personal instance while you were a member advocated the overthrow of the Government by force and violence? A. Yes, sir; I so testified, at least in substance and words to that effect.

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JOINT APPENDIX

IN THE

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11,850

COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, *Petitioner*,

v.

SUBVERSIVE ACTIVITIES CONTROL BOARD, *Respondent*.

On Petition to Review and Set Aside an Order of the Subversive Activities Control Board

VOLUME II

(Pages 463 to 997)

United States Court of Appeals
For the
District of Columbia Circuit
FILED DEC 18 1953
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* "Petitioner's exhibit" refers to the exhibits introduced by the Attorney General, the petitioner in the proceeding before the Board.

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IN THE

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

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v.

SUBVERSIVE ACTIVITIES CONTROL BOARD, *Respondent*.

On Petition to Review and Set Aside an Order of the Subversive Activities Control Board

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JOINT APPENDIX

VOLUME II

(Pages 463 to 997)

6105 **Nathaniel Honig** was called as witness by and on behalf of Petitioner, and having been first duly sworn, was examined and testified as follows:

Direct Examination

* * * * * * * * * *

6119 Q. Did you have an official title during the time you worked on the staff of the Daily Worker? A. Yes. After the first few days I was made make-up editor of the Daily Worker, and then I had another title later of labor editor.

Q. What were your duties as labor editor of the Daily Worker? A. I was in charge of all news relating to trade union questions, and I also was in charge of a section of the paper called "The Workers' Corner".

When I became in charge of that it was a full page in the paper devoted to letters from readers of the paper.

Q. Mr. Honig, was the Daily Worker an official publication of the Communist Party of the United States during the time you worked on the paper? A. It was.

6120 Q. How do you know that the Daily Worker was the official publication of the Communist Party?

* * * * * * * * * *

A. I as well as other members of the staff received instructions on material to be printed in the Daily Worker and material that was not to go in the Daily Worker.

6121 I was also, as a matter of fact, just as another way of knowing, told by Robert Minor, the editor of the Daily Worker, that it was an official organ of the Communist Party.

Q. You mentioned that you received instructions. Do you recall any of the persons that issued instructions during the time that you were a member of the staff? A. Yes. At first instructions would be sent down from J. Lovestone, who was then Secretary of the Communist Party, and Benjamin Gitlow, I believe, was the assistant Secretary of the Party. I don't remember his exact title. He was second in command. Orders would come from him. Sometimes he would come in and sort of brief us on certain current situations of the day.

Q. Did any members of the staff of the Daily Worker object to publishing any of the material they received from the Communist Party leaders?

* * * * * * * * * *

The Witness: I never knew of any member of the staff of the Daily Worker to refuse to carry out any instructions as to what was to go in the paper, instructions that came from the Central Committee or any of the officials of the Communist Party. 6122

* * * * * * * * * *

Q. Were any members of the staff of the Daily Worker fired during the time you were a member of the staff of the Daily Worker? A. I recall one.

Q. Do you recall the name of this person? A. John Sherman.

Q. Why was he fired, if you know? A. Yes. He was fired for printing—he was at that time labor editor, it was shortly after I became a member of the staff—he was fired for allowing an article to go into his section of the paper which was deemed by the Party against the line of the Party.

* * * * * * * * * *

6123 Q. Mr. Honig, did you receive any instructions from the leaders of the Communist Party of the United States during the time you were editor of Labor Unity? A. Frequently.

Q. Do you recall the names of any of the persons that you received instructions from? A. Well, in the first place, from William Z. Foster, who was a member of the Political Bureau of the Communist Party, and he was also Secretary of the Trade Union Unity League. From—I don't recall names at the moment of any others. From Jack 6124

Stachel, who was a member of the Political Bureau at that time. I do remember specifically from him.

Q. Mr. Honig, you have testified that you were the editor of Labor Unity until May 1934. What did you do after May 1934? A. I was sent by the Communist Party of the United States to the Soviet Union.

Q. How long did you remain in the Soviet Union? A. From June 1934 until September 1935.

Q. Did you return to the United States in 1935? A. Yes.

Q. What did you do after you returned to the United States in 1935? A. For a short period from November 1935 until March 1936, I worked in the district apparatus of the Communist Party in New York; that is in the district headquarters.

Q. How long did you work there? A. From November 1935 until about March 1936.

Q. Where did you go in March 1936? A. To San Francisco. I was sent there to be editor of the Western Worker.

Q. What was the Western Worker, Mr. Honig? A. It was the official organ of the Communist Party for the Pacific Coast.

6125 Q. Did you receive any instructions from the Communist Party of the United States on what was to be published in the Western Worker? A. Yes. During my employment on the Western Worker, I did.

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6138 Q. What did Golos tell you concerning your trip to the Soviet Union? A. Of Course, the first thing I asked Golos was, when I would get the ticket and when I was supposed to leave, and Golos told me all this. I asked him about the ticket, where I would obtain it. He said not to worry about that, that he would take care of that, he would buy the ticket, that is, he would see that the ticket was bought, he would have it for me well in time for the sailing, and that he would see that arrangements were made for me to get expense money on the way over.

Q. Did you obtain an American passport for this trip? A. Yes.

Q. Did you apply for your American passport in your own name? A. Yes.

Q. Did you obtain any visas prior to the time you left the United States? A. I obtained some from Golos.

6139 Q. What do you mean you obtained them from Golos? A. No. I guess I didn't obtain them from him. He had talked himself of making the arrangements to get them. Now, as I recall, I went and got the visis from three or four consulates myself. He told me what consulates to get them from, what countries I might pass through possibly.

Q. Do you recall what countries you received them from? A. British, French, Polish and German. I remember them.

Q. Did you get a visa for the Soviet Union? A. No, I didn't. That is, I didn't get a visa in my passport for the Soviet Union, not in that form.

Q. In what form did you receive your visa for the Soviet Union? A. I asked Golos about that when he told me to go to the other consulates and get visas for those countries, and he said never mind about that, he would obtain something for me that would be the equivalent but they didn't want my passport to show I was going to Russia and the Soviet Union, and therefore there would be no visa in the passport for the Soviet Union. So he gave me a little piece of silk, it was a little square piece of silk, I guess no more than an inch square, and he said he would have this sewed in a tie.

Mr. LaFolette: In what?

The Witness: Sewed in the inside of a tie where it would be concealed by the outer part of the tie, and he told 6140 me I would board a Soviet ship in London for Leningrad and when I got on the ship I would identify myself by showing this thing to some official aboard that ship.

Stachel, who was a member of the Political Bureau at that time. I do remember specifically from him.

Q. Mr. Honig, you have testified that you were the editor of Labor Unity until May 1934. What did you do after May 1934? A. I was sent by the Communist Party of the United States to the Soviet Union.

Q. How long did you remain in the Soviet Union? A. From June 1934 until September 1935.

Q. Did you return to the United States in 1935? A. Yes.

Q. What did you do after you returned to the United States in 1935? A. For a short period from November 1935 until March 1936, I worked in the district apparatus of the Communist Party in New York; that is in the district headquarters.

Q. How long did you work there? A. From November 1935 until about March 1936.

Q. Where did you go in March 1936? A. To San Francisco. I was sent there to be editor of the Western Worker.

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6140 me I would board a Soviet ship in London for Leningrad and when I got on the ship I would identify myself by showing this thing to some official aboard that ship.

By Mr. Story:

Q. What was on this piece of silk, if you recall? A. It was in Russian writing, and it also had my name in Russian and in English. I don't remember the exact wording. At that time I could not read any Russian. Golos told me that it merely served to identify me, that is all.

Q. Did you use this form of visa when you boarded the Soviet ship? A. Yes, I showed that to a man on the ship, I don't remember who it was, of course, but he had the uniform of a ship's officer, and I was introduced to him by another man on the ship. The man who introduced me said that this man was in charge of the political activities on the ship. I showed him that. I had been told by Golos to show it to such a man and I did.

Q. Where did you board the Soviet vessel? A. In London.

Q. Did Soviet officials on the boat ask you for your American passport? A. Yes, they asked me for it, and I gave it to them. They kept it until my arrival in Leningrad.

Q. Did you receive any funds for this trip? A.
6141 Any what? Beg pardon?

Q. Any money or funds for this trip to the Soviet Union? A. Yes, I received some cash, a couple of hundred dollars for expenses.

Q. Where did you get this money? A. I was told by Golos to obtain it from William Wiener, who was the treasurer or secretary treasurer of the Communist Party. I don't remember which title he used. Financial director was the title as I recall it.

Q. Did Merker tell you anything about your expenses for your trip over your expenses while you were in the Soviet Union when he talked to you? A. He didn't say anything about the expenses on the boat going over, but he did say that my expenses would be paid by the Red Internationale of Labor Unions, that is, I would be paid a salary and living expenses.

Q. Mr. Honig, what did you do with your American passport when you arrived in Moscow? A. When I arrived at

Moscow I went to the Red Internationale of Labor Unions, I went to Mr. Lozosfsky, who was the head of the Red Internationale of Labor Unions and he asked me to give him my passport. He said that the Red Internationale of Labor Unions would keep my passport for the duration of my stay there, I gave it to him.

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6157 Q. Mr. Honig, you have testified that you were employed by the Red Internationale of Labor Unions in Moscow. What were your duties when you first arrived in Moscow to work with the Red Internationale of Labor Unions? A. My first duties when I had the title of referant were merely to go through reports that came from the United States from the Communist Party and sift out any information relating to trade unions, to go through the various publications that were sent us from the United States that the Internationale of Labor Unions subscribed for from the United States and digest out of that information relating to trade unions in the United States, and from that to make reports to the Red Internationale of Labor Unions on the trade unions in the United States. They were my first duties.

Q. How long did you continue as a referant at the Red Internationale of Labor Unions? A. For about three months. 6158

Q. What were your duties after that time? A. Then I was raised to the position of representative of the Trade Union Unity League, and the Communist Party of the United States to the Red Internationale of Labor Unions.

Q. What were your duties as the official representative of the Communist Party of the United States to the Red Internationale of Labor Unions? A. My duties became not merely to digest these reports that were sent over from the American Party and information I had obtained from the publications that we received there, but then also I attended meetings at the Comintern itself, at the Communist Internationale Building itself, each week, and participated there in helping to formulate policies which were to be carried out by the American Communist Party in the trade union field.

Q. You mentioned reports you received from the Communist Party of the United States. What kind of reports did you receive? A. Sometimes they were just simply mimeographed reports. When the information was not of any great confidential nature they were merely mimeographed reports or typed reports that were sometimes even sent in the regular mail, but very often brought over by American Party leaders or students from the United States who were going to study in Moscow brought them to the Internationale of Labor Unions. Sometimes they 6159 were brought over by couriers. If the information was of a more confidential nature, if the reports referred to matters that the Party didn't want known outside of the top Party leadership, then of course they were brought over by couriers or by top Communist Party leaders who may at that time have been visiting the Soviet Union.

Q. Did you attend any meetings of the Red Internationale of Labor Unions? A. Yes. At least one meeting of all representatives from the various Communist Parties throughout the world, at least one meeting of such representatives was held each week in the Red Internationale of Labor Unions Building.

Q. What took place at these meetings? A. At these meetings, in the first place, various delegates, various representatives from different countries of the world, from the Communist Parties of those different countries would get up and give reports on the work their parties were doing among the trade union members in their countries. Then discussions would take place among various delegates based on the various reports that had been given.

Then there are always two or three leaders from the Comintern, from the Communist Internationale, that would come over to attend these meetings of the Red Internationale of Labor Unions, and they would get up and give their opinions of the work that was being carried on 6160 by the Communist Parties in these various countries in the trade unions. They would express whether they thought such work was being properly carried out in accordance with instructions that had been previously sent from the Comintern, that is the Communist Internationale, or they would express either approval or disapproval or dissatisfaction with the progress of such work being carried on by the various Communist Parties.

Then there would be more discussion on their opinions. Of course, there was—I don't remember any disagreement on the part of these delegates, us delegates from the various Communist Parties of the rest of the world, any disagreements with what was expressed by these men from the Comintern. Generally we would get up and admit our errors or the errors of our parties, and promise to rectify these errors.

Q. Mr. Honig, what countries were represented at the Red Internationale of Labor Unions? A. Of course, the United States and every English speaking country that I can think of, England, and all the British Colonies of the Dominions and the United States. These were represented in the section that I worked in. That was the Anglo-American Secretariat of the Red Internationale of Labor Unions. Then of course there were also representatives from every Latin American country, and they were in a Latin American department of the Red Internationale of Labor Unions. 6161 Every European country that I know of had a representative there. A number of the Asiatic Countries, Indo-China, India, China, Japan, there was a representative from the Philippines, and they were in the Far Eastern section or secretariat of the Red Internationale of Labor Unions.

Then there were delegates from scattered other areas, some of the countries in Africa and a few other lesser known countries or smaller countries throughout the world.

Q. Mr. Honig, you have mentioned attending meetings once a week at the Communist Internationale Building. What type of meeting was this? A. Such a meeting was similar to what we had at the Red Internationale of Labor Unions except that they took in more scope, they took in more territory. In addition to the question of trade union work by the various Communist Parties we discussed, also they discussed broader political activities, such as elections that were being held in various countries and what Communist Parties of those countries were to do in those elections. Whether in some cases, like in the United States, they were to maybe run a candidate masked as a socialist—we had such a discussion at one time—or say in another locality in an election in the United States to run a Communist openly as a Communist, if it were deemed feasible.

Whether in another case they would have him pose
6162 as a Democrat or Republican, and similar questions
on other questions on elections.

Then of course there were other broad political issues that were discussed, such as what to do about various other antiparty movements that were occuring in some countries.

Well, all sorts of general political questions which concerned the Communist Internationale.

Q. Was the entire membership represented at these meetings at the Comintern which you attended each week? A. You mean were all the representatives from the various countries—

Q. Yes. A. Not always. In fact, not usually. Sometimes one might be sent to some other part of the Soviet Union for some purpose. Once in a while I myself was sent elsewhere either to learn more how the Soviet Union operated, how various phases of socialistic activities were carried on Soviet activities, that is, were carried on in the Soviet Union, or to study the operations of Soviet trade unions and so forth. Pretty nearly always one or another or more of we delegates were away from Moscow at any particular meeting. So we never had all of them, but usually most of the delegates were present.

Q. Did any other members of the American Communist Party attend these meetings? A. At the Red Internationale of Labor Unions, yes, we had the American 6163 representative who was my counterpart. He was the American representative to the Comintern itself. I was the representative to the Red Internationale of Labor Unions, and he to the Communist Internationale. He would come over and attend our meetings at the Red Internationale of Labor Unions Building just as I would go over and attend their meetings.

Q. Do you recall the name of this representative? A. William Schneiderman.

Q. Mr. Honig, you have mentioned that you received certain publications while you were in Moscow which you read and in turn analyzed the trade union articles for the Red Internationale of Labor Unions. What publications did you receive from the United States? A. There were non-party and party publications, of course. For instance, I got them to subscribe to the New York Times. They had not been doing it up to then. I deemed it very necessary to have the New York Times there, because it did print a great mass of news that I could not obtain otherwise. They reported on all phases of activities, I thought, fully. So I got that.

I remember I even got them to subscribe to a few what we call fascist publications that were published at that time in the United States. I don't remember the title. There 6164 was a magazine, a monthly issued by a man named Laurence Dennis who was starting what he called openly a fascist movement. I asked them to subscribe to that so we could know what they were planning and talking about, what this movement was talking about, and such things. Of course, all Party publications were sent over.

Q. Will you please name for the Panel the Communist Party publications that you received while you were in Moscow? A. The Daily Worker, the New Masses, the Communist, all books and pamphlets that were published by the International Publishers, which was one of the Communist Party publishing firms. All pamphlets published by the Workers Library Publishers, and the Western Worker. That about covers it I think.

Q. Mr. Honig, what type of couriers were used to bring these reports to the Soviet Union? A. Various types of people were used as couriers. In the first place, there were what you might call professional couriers, professional in the sense that that was their sole duty, to be sent to various countries throughout the world and carry messages or money or instructions to Communist Parties in various countries. Then whenever—

Mr. LaFollette: Excuse me. I didn't quite hear you. Did you say there were or were not such?

The Witness: There were.

6165 That was one type. Whenever any top party leader, such as Earl Browder, the Secretary of the Party, would make frequent visits, at least once or twice a year, to the Comintern, he would generally take back instructions and other data to the Party in the United States from the Comintern, and from the Red Internationale of Labor Unions, too.

Then there were students at what was called the Lenin School in Moscow. The United States Party and the United States Young Communist League had a number of students at that school, and when they finished their terms at the school and were homeward bound, they too would take with them such material as I have mentioned.

By Mr. Story:

Q. Were these students used to bring reports from the United States to Russia? A. Yes.

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6169 Q. Mr. Honig, you were discussing the types of couriers that were used to bring messages from the United States to the Soviet Union. You have testified that students to the Lenin School were used, and also the leaders of the Communist Party of the United States
6170 when they made trips to the Soviet Union. Were there other types of couriers used to your knowledge? A. Yes. People like myself, who were employed in Moscow as representatives of the Communist Party were occasionally sent out as couriers. I would say in addition also, although that wasn't their main purpose, representatives of the Communist Internationale who were sent to the United States and to other countries, but I know personally those who were sent to the United States, they too would also act as couriers as long as they were going to the United States or returning to Moscow from the United States.

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Q. Did you prepare any reports that were to be sent back to the United States while you were in Moscow? A. Yes.

Q. Did you personally deliver any of these reports to any couriers for transmission back to the United States? A. Yes, I did. I delivered some of that material myself to Jack Stachel, whom I mentioned, when he was there, once. Although he was not there mainly to be a courier, he was to act as a courier on his return.

6171 I delivered such material also to a student of the Lenin School, to several students of the Lenin School, as a matter of fact, whose terms were up. I gave them that material which they were to take back with them.

Q. What type of material did you give these couriers to bring back to the United States? A. They were reports on development, for instance, of strike activities in various industries of the United States, reports on decisions that had been made either at the Comintern meetings I have described, or the Red Internationale of Labor Union meetings I have described, as to where the Party was to step up its activities and try to produce strikes and try to capture control of unions by the Communist Party.

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6173 Q. Were the directives received by the Communist Party of the United States from the Red Internationale of Labor Unions carried out by the Communist Party in the United States? A. Yes.

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Q. How did you gain this information? A. I was then editor of Labor Unity, the official organ of the Trade Union Unity League, and the executive board of the Trade Union Unity League held meetings at least once a week at the Trade Union Unity League, and it was mandatory for me to be present at every such meeting so I would know how to reflect the policies discussed in the magazine that I edited. It was at such a meeting that this particular matter
here was discussed, and it was at subsequent meetings
6174 that reports were received and discussed as to
whether this was being carried out. I was present when these were done.

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6180 Q. Mr. Honig, do you recall any specific directive which was issued to the Communist Party of the United States from the Communist International or from the Red Internationale of Labor Unions while you were in Moscow? A. Yes, I recall a number of such directives.

Q. Can you give us any specific directive that was
6181 issued? A. One such directive I recall distinctly is
in connection with the work of the Communist Party and the Trade Union Unity League among the unemployed.

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Q. Mr. Honig, where did you receive these instructions? A. On the unemployed?

Q. Yes. A. I didn't receive the instructions, that is, the instructions were transmitted from the Red Internationale of Labor Unions and the Communist Internationale to the Communist Party of the United States.

Q. Did you assist in preparing any of these directives that went back to the Communist Party in the United 6182 States? A. Yes, I did, specifically that directive.

Mr. LaFollette: On this subject of the unemployed?

The Witness: Yes.

Mr. LaFollette: Was it in writing at the time you prepared it?

The Witness: I prepared it in writing. I prepared my version of it in writing, but then it was discussed at one of these meetings of the Internationale of Labor Unions. Then the directive which was sent was sent through a courier, I don't know which courier, but it was decided that the directive would be sent through a courier.

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Did you ever receive a report back from the United States in your capacity which you then held while you were in Moscow with reference to any action in connection with this directive that you issued?

The Witness: Yes, I did.

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6189 Q. What happened to these directives after you had written them up before they were sent to the United States? A. All directives formulated at the RILU, whether mine or anybody else's, whether I participated in them or anybody else, from any country, had to be okayed in the Comintern before they could be transmitted to the respective countries. That was true of directives that I participated in formulating in the RILU. In my case they had to be okayed by the Anglo-American Secretariat of the Comintern.

Q. And did the Communist Party of the United States have a representative in that group? A. Yes, it did.

Q. What was the name of that person? A. That was William Schneiderman.

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Q. And did the Communist Party of the United States have a representative in that group? A. Yes, it did.

Q. What was the name of that person? A. That was William Schneiderman.

Q. You were testifying about another specific directive you recalled. Was this directive issued by the Communist Internationale or the Red Internationale of Labor Unions? A. This was issued by the Communist Internationale itself, this other directive.

Q. Will you tell the Panel what this directive was?

6190 A. It was the directive applying to a general strike in San Francisco in 1934.

Q. When did you first hear of the discussion on this directive. A. In one of the first meetings that I attended after my arrival at Moscow at the RILU, Lozosfsky, himself, who was the Secretary General of the RILU, said that reports had been received—I am not quoting his exact words, but this was the gist of it—that reports had been received there at the RILU that the work among the longshoremen and dock workers in San Francisco by the Communist Party was producing good results, and he wanted to see that that work would be fully supported, fully backed in every way, by the Red Internationale of Labor Unions. He wanted to see more discussion. He asked for more discussion on the San Francisco situation and he asked for fuller reports. He said that he had sent to the United States for fuller reports.

At subsequent meetings he made this the main point on our agenda for a number of weeks. We held these meetings at least once a week, and often twice a week. The first time I heard about it was in June 1934, early in June 1934. He considered this matter of such importance because of the reports he had received from the United States, that is, from the Party in the United States, on that, that he even called extra meetings each week during June on the subject.

6191 The Comintern became interested. He said he had reported to the Anglo-American section of the Comintern. He considered this work from such great importance from the reports he had received that he wanted the Comintern to participate in joint meetings with the

RILU on this matter. We had not had such joint meetings. We just had our separate meetings. At the Cominform they were very enthused about the reports Lozosfsky gave. The Anglo-American section of the Comintern said, or thought from the reports that Lozosfsky showed them that the situation was rapidly developing—I think this is almost exact quotes of the two heads of the Anglo-American Secretariat—to the point where they thought a general strike was possible at San Francisco at least on the waterfront, and possibly in all San Francisco.

Q. Were any instructions or directives issued out of all of these discussions that you had to the Communist Party in the United States? A. Yes. Instructions were issued. Lozosfsky reported at these joint meetings of the Comintern and the RILU Anglo-American Secretariats, that he and the heads of the Anglo-American Secretariat in the Comintern had sent instructions—

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The Witness: —had sent instructions to the
6192 Political Bureau of the American Party that they
considered this situation there ripe for a general
strike in San Francisco on the basis of reports they were
getting from the Party.

By Mr. Story:

Q. Did you participate in drawing up any instructions concerning the general strike in San Francisco? A. Yes, I did.

Q. About when was that? A. That was in June 1934.

Q. What were these directives? A. I could give you the gist or the sense of them.

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Q. Where did you receive these instructions? A. I don't quite know what you mean by instructions.

Q. Were you told to prepare any directives to the Communist Party in the United States? A. I see. Not quite in that way. What happened actually was that at these joint meetings of the Comintern and the Red Internationale of Labor Unions, it was decided to draw up official instructions from the Comintern itself instructing the 6193 American Party to press the situation in San Francisco to the point of a general strike. I simply participated in actual oral discussion. I did not write the instructions in this case, but I helped to draft the instructions that were to be sent.

Q. In other words, you did assist in drafting the instructions. A. That is right.

Q. Were these instructions communicated to the Communist Party in the United States? A. Yes, they were.

Q. How were they communicated?

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6194 The Witness: They were communicated in this particular case by a coded message. * * *

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6195 Did you receive any reports after this instruction went out on the subject of this general strike from the United States?

The Witness: I didn't receive them directly, but I saw copies of such reports sent to the Comintern.

Mr. LaFollette: What did they say?

The Witness: They said that the Party agreed in the United States that a general strike was very possible now in San Francisco, and that the Party was trying to carry such a strike out.

Mr. LaFollette: When was this?

The Witness: This was towards the end of June, probably the last week of June that the Party replied.

Mr. LaFollette: What year.

The Witness: 1934.

By Mr. Story:

Q. Tell me what is meant by general strike. A. A general strike as the Party means it and as I always understood it as a Party member, was meant it can be a strike in which an entire industry is crippled and the workers in an entire industry participate, or it can mean a strike where the workers in all industries, trade or particular locality, or even in a particular country take part.

Q. Did you read anything in the Daily Worker concerning the general strike in San Francisco while you 6196 were in Moscow? A. Yes, I did, in 1934.

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6202 Q. Did Mingulin make any other statement concerning the general strike in San Francisco. A. Among other things he said was that he knew that the American Federation of Labor reactionary leaders, as he called them, would be reluctant, and would oppose such a thing, but he thought that due to the effective work of the Party and due to the effective work particularly of Harry Bridges—he mentioned Bridges' name, as he had 6203 received reports—due to that, he thought that the workers, that the Party in America could force the A.F.L. leaders through Party pressure among the union members to call such a strike.

He warned, too, that because of their reluctance that these, as he called them, reactionary leaders would try to scuttle such a strike as quickly as they could. He said the mere calling of that strike would not be enough. The important thing would be to prevent the American Federation of Labor leaders, specifically the Central Labor Council of San Francisco, from killing that strike off.

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The Witness: Another thing he said was that the Comintern was particularly anxious, and he said he had discussed this with Manuilsky, who was then the Secretary General of the Communist Internationale, the Comintern, that Manuilsky was particularly anxious to have this strike because the Comintern wanted to see one of the cardinal lessons of Comrade Lenin, as he said, carried out here. He

pointed out to us who were listening to him then that the cardinal principle of Leninism was that a general strike is a rehearsal for a revolution or for a seizure of power by the Communist Party. He said that such a re-
6204 hearsal is now possible in the United States.

Mr. LaFollette: Where did this conversation take place with reference to the strike?

The Witness: This one was in the Comintern Building.

Mr. LaFollette: I mean with reference to the date of the strike.

The Witness: I see. This was in the middle of June 1934, this particular one.

By Mr. Story:

Q. Was this conversation prior to the time the instructions were sent to the Communist Party in the United States? A. Instructions were continually being sent during the month of June on the speeding of that strike, so that it was not prior to the first instructions. But further instructions were sent after that conversation.

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6206 Q. Mr. Honig, I think in response to my last question you said you taught at the Lenin School, is that correct? A. Yes, I taught at the Lenin School.

Q. What classes did you teach at the Lenin School? A. I taught labor journalism and I taught a course in the history of the American labor movement.

Q. How many students did you have in your class? A. I had a selected group of American students in my class. I had somewhere between 15 and 20.

Q. You say these were all members of the Communist Party of the United States? A. Either that or of the Young Communist League of the United States.

Q. When did you start your teaching at the Lenin School? A. I can't tell you the exact date on that, but it was in the fall of '34.

Q. How long did you teach? A. I had a six months course in each of those subjects.

Q. How did you receive your assignment to teach
6207 at the Lenin School in Moscow? A. This Mingulin
and Mehring both, the co-heads of the Anglo-American section of the Comintern, assigned me to that.

Q. Where were these classes held? A. They were held in a building devoted to the Lenin School.

Q. How long did the American students from the Communist Party of the United States remain at the Lenin School? A. I can't tell exactly, but I know that a number of them remained at least two years, because the way I could tell that was that they were there when I arrived, and they were still there when I was leaving Moscow for my return to the United States, and I was there 18 months, or about 18 months.

Q. What nationalities were represented by the students at the Lenin School? A. Of course in the class I taught there were only Americans. There were students from every country in the world which had a Communist Party, and a few countries where they had not yet organized a party, but there was a nucleus of a Communist Party. Every nationality in Europe, that is, from every nation in Europe, and virtually every nation in Latin America, Mexico, Central and South America, and I met students from all these places, and a great number of students from the Far East,
from China and Japan particularly, and a few from
6208 India. Of course, from Britain and the British colon-
ies, Canada, and so forth.

Q. Mr. Honig, were you familiar with the other subjects that were taught at the Lenin School?

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The Witness: Yes. Revolutionary tactics was the major subject, and Leninism, Marxism, and of course the subjects I taught. They were among the leading ones.

By Mr. Story:

6209 Q. Do you recall the names of any of the textbooks that were used by the students in the Lenin School? A. Lenin's "Imperialism" was one. All the works of Lenin were used from time to time. Lenin's "Imperialism" was very much used. A pamphlet by Lenin, or a booklet by Lenin called "Infantile Leftism" was a very important pamphlet or booklet. Another work of Lenin which was very important for these students was one called, "What is to be done?" Of course, I used textbooks in my courses. I used one, "The History of the American Working Class" by Anthony Bimba, among others.

Q. Who were the instructors at the Lenin School, if you know. A. Yes.

Q. What nationalities? A. They were mainly Russian, although there were a number of Germans and there was a sprinkling of other nationalities, mainly Russians, though. I should say a fairly large number of Germans that I met instructed there, and a sprinkling of other nationalities.

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6216 Q. Mr. Honig, were the American students at the Lenin School paid while they were in Moscow? A. Yes, they were paid a form of salary while they were there.

Q. Where did the American students live while attending the Lenin School? A. They lived in dormitories operated by the Lenin School.

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6217 By Mr. Story:

Q. Mr. Honig, were you paid a salary while you were employed by the Red International of Labor Unions? A. Yes, I was.

Q. What were you paid? A. I was paid 500 rubles a month.

Q. Did you receive any salary in addition to the 500 rubles a month? A. No, I didn't receive a direct salary, but I was encouraged to receive an extra stipend in the form of royalties in articles I would write for Soviet newspapers and magazines.

Q. Did you write very many articles for the Soviet publications while you were in Moscow? A. Yes, quite a few.

Q. Approximately what was your income from these articles? A. It would range up to about 10,000 rubles a month.

Q. Who paid your salary while you were with the Red Internationale of Labor Unions? A. The RILU.

Q. Where did you live while you were in Moscow? A. I lived in an apartment building operated by the RILU.

6218 Q. Were you charged for your room? A. No, I was not.

Q. Mr. Honig, did you attend any congresses of the Communist International while you were in the Soviet Union? A. Yes, I did. I attended the Seventh World Congress of the Communist International in Moscow in July and August of 1935.

Q. Did the Communist Party of the United States have representatives at this congress? A. Yes, it did.

Q. Do you recall the names of the representatives of the Communist Party of the United States at this congress? A. I remember the name of the Chief delegates. They were Jack Stachel and Earl Browder and William Z. Foster.

Q. Where was the Seventh World Congress held? A. It was held in Moscow, and I believe it was in the Hall of the Soviets in the City of Moscow.

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Q. Were you an official delegate from the Communist Party of the United States to the Seventh World Congress? A. I was an official non-voting delegate.

Mr. LaFollette: Do I understand that you attended 6219 the Congress?

The Witness: I attended it.

Mr. LaFollette: You went to the building, but you are not sure what the building was named? Is that it?

The Witness: I am not sure of the English equivalent. That is why I hesitate.

Mr. LaFollette: All right.

By Mr. Story:

Q. Mr. Honig, were you seated with the official delegates from the Communist Party of the United States at the Congress? A. Yes, I sat with them.

Q. What took place at the Seventh World Congress which related to the Communist Party of the United States? A. To begin with, reports were made by the American delegates, by the ones I named, on the work they had done in the United States, on the work of the American Communist Party, and then a great deal of discussion by the non-American delegates quite frequently centered on the work of the American Communist Party, and in addition to that the main report to the Congress delivered by the leaders of the Comintern, for instance, by Manuilsky, who was the head of the Comintern, touched to a great degree on the work of the American Party.

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6223 Q. Who paid the expenses for your trip from the Soviet Union to the United States? A. The Comintern.

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Q. Mr. Honig, please tell the Panel, if you know, who paid Foster's expenses for the trip back to the United States?

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The Witness: The Comintern.

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Mr. Story: How do you know that Foster's expenses for his trip back to the United States were paid by the Comintern?

6224 The Witness: I was with Foster when we visited the Anglo-American secretariat of the Comintern to obtain the funds with which Foster was to return, and Foster there made the arrangements while I was present to obtain money—

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6225 Q. Mr. Honig, what was said about finances as
6226 far as your trip was concerned back to the United States at this meeting? A. Mingulin told Foster they would immediately arrange to have money for him, and they asked him the date when he wanted to start and said they would have the money by that date.

Q. Was that money for the trip? A. For the trip for the return home to the United States.

Q. Was anything said about expense money for this trip? A. Yes. Mingulin pointed out and wanted Foster to estimate how much would be needed for living expenses for both Foster and myself, and he said that he would find out, Mingulin said he would find out what the expenses would be for the actual transportation, and he would see to it that first-class transportation was provided for both of us.

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6227 Q. Mr. Honig, did the Communist Party of the United States receive any other financial assistance
6228 from the Communist International during your membership in the Party?

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The Witness: Yes, to my knowledge in a number of cases the Communist Party received direct assistance from the Soviet Union, financial assistance.

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Q. What financial assistance did the Communist
6229 Party of the United States receive from the Communist International?

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The Witness: The Communist Party received a subsidy that I know of directly from the Communist International which was supposed to go for the operation of "Labor Unity," a magazine which I operated.

Mr. LaFollette: What year?

The Witness: From the years 1930 to 1934.

By Mr. Story:

Q. How do you know this, Mr. Honig? A. I found that out eventually directly from where the assistance was supposed to come, but in the first place I was told by Jack Stachel when "Labor Unity" ran short of money to pay the printer, that William Weiner—

Mr. Abt: Mr. Chairman, if this is a conversation may we have when, where and who was present and what was said?

Mr. LaFollette: I think the witness should be permitted to answer and if he doesn't state so, we will find out when and where. Proceed.

The Witness: In the offices of Jack Stachel at 2 West 15th Street, New York, the headquarters of the Trade Union Unity League, I was told—

Mr. LaFollette: What year?

The Witness: A number of times from 1930 to
6230 1934, almost monthly actually. When I would go to
him for money to pay the printer, Stachel told me that he would go to see William Weiner and ask him if the money as subsidy from the Communist International for Labor Unity had yet arrived, and he would so do and come back and tell me whether or not the money was available. Later when I went to the Soviet Union the manager of the Anglo-American department of the Red International of Labor Unions, which was also known as the Profintern, a man named Kutnik asked me if the money which was allotted for publishing Labor Unity had been used for that purpose. I told him that very many times we were not able to get that money, and he told me that he was very angry about that and told me there was a definite stipend assigned for the purpose of publishing Labor Unity, and

the money came from the Anglo-American Secretariat of the Comintern for that purpose, that he would inform the Anglo-American Secretariat of the Comintern that I had told him that we had not received that money regularly.

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Q. Mr. Honig, you have testified that you knew a
6231 representative from the Communist International in
the United States in 1934 by the name of Merker.
Did you know any other representatives of the Communist International in the United States during your membership in the Party? A. Yes, I did.

Q. Will you give us the name? A. One was a man named Yuzefovich, Y-u-z-e-f-o-v-i-c-h.

Q. Did you know any other representative of the Communist International? A. I met one named Allen, a man from Finland, a Finn who used the name Allen.

Mr. LaFollette: When and where did you meet him?

The Witness: I met Allen in 1932 and 1933, and I met Yuzefovich frequently in 1932 and 1933 also, in New York City. Yuzefovich also in Pittsburgh.

Mr. LaFollette: What year?

The Witness: The same years. In Pittsburgh it was either in '32 or '33.

Mr. LaFollette: What information do you have for your statement that they were International representatives? You said you met two men.

The Witness: They directly told me so, and later I met Yuzefovich in the Soviet Union and he confirmed again—

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6232 Q. How do you know that Yuzefovich was a representative of the Communist International?

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The Witness: Yuzefovich came to visit me in my office in Labor Unity and after telling me that he was a representative of the Communist International—and as a matter of fact he had been introduced to me as such by Jack Stachel.

By Mr. Story:

Q. What position did Jack Stachel hold in the Commu-
nist Party at that time? A. He was acting secretary
6233 of the League, and he was a member of the Political
Bureau of the Party. Yuzefovich would come to see
me and give me instructions on the putting out of Labor Unity. Yuzefovich also would come to the Trade Union Unity League Executive Board meetings which were held monthly. He would attend and listen to the discussion and then give his ruling on whether the decision talked about should be carried out or not. I was present at such meetings.

Q. Did you attend any conventions at which Yuzefovich was present? A. Yes, I did.

Q. What convention? A. It was the convention of the Trade Union Unity League in 1933, I believe it was, but it might have been late in 1932, and it was held in Pittsburgh, Pennsylvania.

Q. Were you present at this convention? A. Yes, I was.

Q. Did Yuzefovich participate in the proceedings at this convention? A. Not on the floor of the convention, he did not.

Q. How did he participate? A. He sat back unobtrusively in the back of the hall. He said nothing while the convention itself was going on in the convention itself, but during recesses he would go—a number of times he did so do—
to a nearby cafeteria or cafe or restaurant with Jack
6234 Stachel, with William—with Jack Stachel particu-
larly then, with various heads of unions which were
affiliated in the trade union line. I remember Frank Boric, of the National Miners Union and a man named Ziebel, the head of the Shoe and Leather Workers Union of the TUUL, and I would go along as editor of the Labor Unity so I would know what the policy was to be. He would discuss how the convention had gone on this previous session before this particular recess, and he would tell what he

thought of it and what he thought should be done at the next session to eliminate any weak spot that he saw. He would do that during almost every recess of that TUUL convention in Pittsburgh.

Q. You have mentioned that Yuzefovich came to your office in Labor Unity. How often did he come to your office? A. There was no regularity, no stated period, when he felt like dropping in and when he felt the need was there. I can estimate probably a dozen times that he did that.

Q. How long did you know Yuzefovich in the United States? A. About a year.

Q. Did you see Yuzefovich after he left the United States? A. Yes, I saw him in Moscow.

6235 Q. Did Yuzefovich have any position at the time you saw him in Moscow? A. Yes, I saw him in his office. He was the head of the River Boatmen's union in the Soviet Union, and I saw him in the office of that union. He had a uniform of some kind on. It looked like a naval uniform of some kind, when I met him there.

Q. Mr. Honig, how did you know that Allen, from Finland, was a representative of the Communist International? A. The only time I saw Allen at—I will put it this way: I knew because I saw him at what they call a plenum of the Communist Party in New York, and he was present there and he made a number of talks at this plenum in which he laid down the line to be followed by the Party. That was in 1932, I am pretty sure, late in '32.

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6248 Q. Mr. Honig, did you use a party name or an alias at any time during your membership in the Party?

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The Witness: Yes, I did.

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Q. Mr. Honig, when did you use a Party name?

6249 The Witness: I used a Party name twice, once when I was in the Soviet Union during my entire stay there, and the second time when I was editor of the Western Worker in San Francisco, when I was managing editor.

By Mr. Story:

Q. What name did you use? A. Nat Davis.

Q. Did you select that name? A. No.

Q. Who selected it? A. On my arrival in the RILU in Moscow, Lozosfsky told me that I was to use a Party name during my entire stay in the Soviet Union and that the name of Nat Davis would be the one that I would use.

Q. What position did Mr. Lozosfsky have at that time? A. He was secretary general of the RILU.

6250 Q. Where in the United States did you use a Party name? A. In San Francisco, in my employment on the Western Worker.

Q. What name did you use there? A. Nat Davis.

Q. How long did you use the name of Nat Davis? A. In San Francisco?

Q. In San Francisco. A. During my entire employment on the Western Worker, from approximately April 1936 to August 1937.

Q. Why did you use a Party name while you were employed with the Western Worker? A. William Schneiderman, the District Organizer of the Party for California, told me that they were shaping up or preparing for this general strike on the waterfront in 1936 and that he thought it expedient that I use such a Party name.

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6251 Q. Mr. Honig, were you publicly known as a member of the Communist Party during your membership in the Party? A. Not to the public at large. The only non-Communists who knew I was a Party member were members of my own family and occasional people whom I tried to recruit to the Party.

Q. Were any instructions issued by the Communist Party concerning the concealment of membership in the Party? A. Yes. Communist Party members in their first meetings—

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The Witness: In meetings that I attended, in unit meetings that I attended all through my membership in the Party, both I myself when I first joined the Party in my first unit meeting, and subsequently all new members that I saw at Party unit meetings in my unit were instructed by the organizer of that particular unit not to let it be known to the general public that they were Party members.

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6252 Q. Mr. Honig, were any members of the Communist Party concealed from the rank and file members of the Party during your membership?

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The Witness: Yes, there were.

Mr. LaFollette: Who were they and when and where, specific instances.

The Witness: I can't give you definite names. I can't give you definite dates on that, but I know that it was the fixed policy for certain types of Party members to be concealed as members from the rank and file of the Party.

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6253 Q. What type of members were concealed from the rank and file of the membership of the Party? A. People in the professions very often, such as doctors and lawyers, and school teachers quite often. That type generally.

Mr. LaFollette: If you don't know their names, how do you know that these people were concealed? Where did you get your information?

The Witness: I do know the names. I do know some names.

Mr. LaFollette: During your membership?

The Witness: Yes.

Mr. LaFollette: On the West Coast or in New York?

The Witness: The West Coast is one example I remember.

6254 By Mr. Story:

Q. Will you give us that example? A. There was an attorney named Leo Gallagher who was a Party member on the West Coast.

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The Witness: The attorney, Leo Gallagher, I know was a Party member in my entire period on the Western Worker, and was hidden from the General Party membership.

Mr. LaFollette: On what factual basis do you say you know he was a Party member?

The Witness: In the first place, I was informed so by the District Organizer of the Communist Party, so I would know how to treat Leo Gallagher in the columns, of the Western Worker.

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6255 Q. Were any other types of members of the Communist Party concealed from the rank and file of the membership?

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The Witness: It requires a little thought for a minute or two. Yes, there was another type. I referred to that type before, namely, representatives from the Comintern who were in the United States. They were Communist Party members.

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6256 THE WITNESS: I also remember Americans who were used as couriers abroad, whom I met in Moscow

—I mentioned Tim Ryan—who were not known to the Party members of the United States as Party members at least an attempt was made to cover up that fact.

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Q. Mr. Honig, did you know any labor leaders who were members of the Communist Party?

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The Witness: A great many.

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Q. Were the leaders of the trade unions who were members of the Communist Party generally known as members of the Communist Party to rank and file of the Party?

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6257 The Witness: They were only so known to a limited section of the rank and file of the Communist Party. The fact was not to be mentioned. At least I was given instructions, as editor of Labor Unity, that the fact was not merely not to be mentioned, but to be denied if the occasion arose—these were my instructions—in Labor Unity, that such leaders were members of the Communist Party, and only to the members of a fraction of their particular unit, the Communist fraction of their particular union, were they known as Communists.

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Q. Mr. Honig, did you receive any instructions concerning the disclosure of your membership in the Communist Party at any time?

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The Witness: I did when I joined the Party and I believe I have testified to that. Then I did when I joined 6258 the staff of the Daily Worker. Robert Minor, the editor, told me, took me aside when I became a member of the staff and told me that since I was a new member and I was pretty well unknown to the Party at large in New

York and to the public in general, whereas some of the other older members of the staff were not so unknown, it would be a good idea for me to not let it be known too generally that I was a Party member to the rank and file of the Party itself and certainly not at all outside the Party, and also he said they feared raids by the police at that period on the Daily Worker premises and in that case, in the case of such a raid if I were questioned by the police, I would say I was just a visitor there or that I was leaving an article there— Oh, just generally to give the idea that I happened to be there on business other than that of an outright member of the staff or a Party member.

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Q. Mr. Honig, were you called upon to testify in any proceeding involving the Communist Party during your membership in the Party? A. Yes, I was.

Q. Will you give us the date? A. I can't give the exact date. It is a matter of record. But it was in, I believe, 1932 or 1933.

Q. What was the case? A. It was a case in which a
6259 Communist-controlled union was involved.

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The Witness: The union was the Shoe and Leather Workers Industrial Union. An injunction was being sought against the union. The important point in whether that injunction would be issued or not turned out to be whether this union was communist-controlled or not. I was asked by Jack Stachel, or I was instructed by Jack Stachel, to appear as a witness for the defense in that proceeding.

By Mr. Story:

Q. Did you appear in the proceeding? A. Yes, I did.

Q. Did Stachel give you any other instructions prior to the time you appeared as a witness in this case? A. Yes. He said that the purpose of my appearing there would be to try to prove—to make the assertion or claim that this Shoe and Leather Workers Industrial Union and the Trade Union Unity League were not affiliated or connected in any way with the Red International of Labor Unions. He said that a number of cases of this kind had occurred and that affiliation had proved very embarrassing to the case of the unions and that the TUUL was going to use a new tactic 6260 to try to get around this. He said we were to drop— that up to this time we had said in our masthead, "Labor Unity, official organ of the Trade Union Unity League, affiliated with the Red International of Labor Unions." He said we were now going to drop that phrase "affiliated with the Red International of Labor Unions." Then when I was to testify I was to point out that the Shoe and Leather Workers Industrial Union and the TUUL were not affiliated with the RILU and to show as a proof of that the lack of such affiliation on the masthead of the Labor Unity.

Q. Did you discontinue this phrase on the masthead of Labor Unity? A. We did shortly before, some time before my appearance on the stand.

Q. Did you testify in the case? A. Yes, I did.

Q. Was the testimony you gave in this case true or false?

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6261 The Witness: The testimony I gave in respect to affiliation with the RILU was false.

Mr. LaFollette: What did you testify with reference to?

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6262 The Witness: I testified that the TUUL and through it, the Shoe and Leather Workers Industrial Union, was not affiliated with the RILU, and I pointed out as proof of this that such affiliation was not stated on the masthead of the official organ of the TUUL, Labor Unity.

By Mr. Story:

Q. Did you give any testimony concerning the Communist control of this union?

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The Witness: No.

6263 **Mr. LaFollette**: You used a term a while ago in answer to a question by Mr. Story with reference to Communist control, particularly of this union. What facts do you predicate your statement on that it was controlled by the Communist Party of the United States?

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The Witness: I knew the President of the union, Sam Ziebel, and I had met many times with him at Communist meetings. I met with him monthly at the TUUL executive board meetings where he accepted the instruction of Communist leaders. I knew him personally as a Communist. We spoke to each other as fellow Communists. We just spoke that way. We knew who we, each other, were.

By **Mr. Story**:

Q. Mr. Honig, what was the TUUL? A. The TUUL is the initials for the Trade Union Unity League. It was an organization founded by the Communist Party for the purpose, in the first place, of splitting off as many workers as possible from the AF of L unions and forming them into unions of the TUUL, controlled by the Communist Party. Another purpose it was formed for was to organize workers who were unorganized who were not in any unions up to that time into such Communist-controlled unions. And also to take such workers both from the AF of L and the unorganized workers and to work on them to become members of the Communist Party. 6264

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Q. Mr. Honig, were the meetings of the Communist Party of the United States open to the general public during your membership in the Party?

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6265 **The Witness**: I hadn't finished the answer. There was one type of meeting conducted by the Communist

Party that was open to the general public. They were the election rallies, the election meetings, at which candidates of the Communist Party, who were running for office on the Communist ticket, spoke. Such meetings were open to the general public. But I don't recall any other type of Communist Party meeting that was open to the general public.

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6266 Q. Were you given any instructions concerning your allegiance as a member of the Communist Party?

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THE WITNESS: I was not given instructions in allegiance. I was given instructions that my allegiance only was to the Soviet Union and was not to the United States of America.

By MR. STORY:

Were you present when any other members of the Communist Party received any instructions concerning allegiance?

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THE WITNESS: Yes, I was. Of course this occurred at all unit meetings of the Communist Party that I attended in my entire membership whenever new members were introduced to the other members and when they were given their first instructions as to the duties of a Communist Party member.

6267 MR. LAFOLLETTE: What language was used?

THE WITNESS: The language used was that we as Communists owe our allegiance to the workers' fatherland, which is the Soviet Union, our first and only allegiance; that we owe no allegiance to any capitalist form of government.

MR. LAFOLLETTE: Were you ever a unit leader yourself?

THE WITNESS: Yes. I was a discussion leader in the first unit I joined.

By Mr. Story:

Q. Mr. Honig, did you attend any meetings in Moscow where the subject of allegiance of the members of the Communist Party of the United States was discussed? A. I did.

Q. Will you tell the panel about this meeting? A. A preliminary meeting to the Seventh World Congress of the Comintern was held in the Cominter, a meeting of the American delegates, and a talk was given by Manuilsky, the head of the Comintern at the time, in which he introduced the subject by pointing out of course at that time that the main enemies, the most imminently threatening enemies of the Soviet Union were Nazi Germany and Japan, but he proceeded to give the American delegates a very severe lecture and he said, "You, the American Party leaders, seem to have forgotten in the course of our current struggle 6268 against Nazi Germany and Imperialist Japan, that still of course the American capitalist government, as he called it, "that still this is a foe of the Soviet Union, of the workers' fatherland. You seem to have forgotten to stress that you owe your first allegiance or that all Communist Party members in the United States owe such first allegiance to the workers' fatherland, the Soviet Union."

He demanded that that be re-stressed again to the lowest ranks of the Party.

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6269 By Mr. Story:

Q. Mr. Honig, you were testifying about a meeting in Moscow prior to the meeting of the Seventh World Congress of the Communist International. Do you recall the names of the Americans who were present at that meeting? A. Of most of them. At that meeting were Browder, Stachel, William Z. Foster, and William Schneiderman. These were the chief delegates. I recall them distinctly being there. John Williamson is another.

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6284 Q. Mr. Honig, what were you taught as to the ultimate aim of the Communist Party of the United States during your membership?

Mr. Abt: I object.

Mr. LaFollette: I think I will let him answer that, if he states by whom and where specifically the teaching took place. The objection is overruled. Go ahead.

The Witness: I was taught from the inception of my membership as soon as I joined the Party, and I was taught this in the first place by the unit organizer of the Communist Party when I joined in 1927, that the ultimate aim of the Communist Party of the United States was to overthrow the form of government existing in the United States then, and that any means would justify that ultimate aim, including the use of force and violence, if necessary.

By Mr. Story:

Q. Was that the policy that was taught in the Communist Party all during your membership? A. Yes, it was.

Q. What form of government was to be set up in the United States to replace the present form of government? A. What I was taught and what I myself taught and was told to teach was that the aim was to set up a dictator-
6285 ship of the proletariat patterned on the form of government existing in Russia, in the Soviet Union.

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6304 CROSS EXAMINATION

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6401 Q. Mr. Witness, you testified here that you went to various unit meetings of the Communist Party, did you not? A. Yes.

Q. And that at these unit meetings you taught the advocacy of the overthrow of the Government of the United States by force and violence, is that right? A. That I was taught and I so taught, yes.

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6402 Q. Did you testify on the question of force and violence in the Bridges case? A. I did.

Q. Did you give this testimony, were you asked this question at page 2228?

> "Question: Is it not a fact that you yourself believed in the overthrow of the Government of the United States by force and violence?"

Were you asked that question in the Bridges case? A. Yes, I was asked that.

Q. And your answer:

> "Answer: I had to believe that—Yes, I did. I necessarily believed that in a major part of the time that I was in the Party as a Party member."

Did you make that answer? A. Yes, I did.

Q. Then were you asked this question:

> "You do now, don't you?"

Were you asked that question? A. Yes, I was.

Q. "Answer: I do not." A. Yes, I said that.

6403 Q. Were you asked this question:

> "When did you stop believing that?"

Were you asked that question? A. Yes, I was.

Q. Did you make this answer?

> "Answer: I stopped believing that as far as my own mind was concerned, oh, perhaps a year and a half, two years before I left the Party. And, as a matter of fact, I discussed that with Party officials and I had told them that—I had told them that I was coming to think that such kind of action to achieve social change would not be necessary, and I pointed out certain reforms being made by the National Administration. And they said—they pointed out 'Well, you don't necessarily have to believe that. It's quite possible that in the United States'—this was not writings, this was personal conversations with me—'It is quite possible in the United States and even probable that there wouldn't have to be force and violence, because all the rest of the world would have done so meanwhile, and all the rest of the thing would fall in our laps.'

> "Well, that kind of sustained me, kept me in the Party for a while, plus the assurance of the leading members of the Communist Party."

6404 Did you give that answer?

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Q. Were you asked that question and did you make that answer? A. Yes. I made that answer.

6405 Q. Then were you asked this question:

> "Question: Then is it your testimony that from 1927 to approximately 1937 you did believe in the forcible and violent destruction of the Government of the United States?
>
> "Answer: I would put my belief in that period you mentioned in this way. What I believe was this: That—"

Did you have that question and did you start making that answer in that form? A. Without the benefit of the record, I can't answer.

* * * * * * * * * *

By Mr. Marcantonio:

Q. "Question: Can't you first answer the question 'Yes' or 'No' and then if you want to qualify it, you can make as many qualifications as you like?"

Then Mr. Del Guercio interposed a remark and the Presiding Inspector said:

> "I think he can answer it. Let's see if he can answer it."

Then did you make this answer:

> "Answer: I don't believe I can definitely say 'yes' or 'no' on that question."

Did you make that answer?

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6406 The Witness: Yes.

By Mr. Marcantonio:

Q. Were you asked this question?

> "Question: All right. If you can't say either 'yes' or 'no', go ahead and speak."

Then do you recall giving this answer?

> "Answer: What I believed from the day I joined the Communist Party, oh, for say the next nine or ten years was this: That the Communists could work as far as possible towards transition, towards socialization, in that quite possibly at some point when they got near the point, say, where the masses of the people of the country were ready for a change in the system, for doing away with capitalism as a system, at that time they would be in such a great majority and indicate it so plainly that there might not be the necessity for any kind of struggle or violence.
>
> "I thought that there were maybe a 75 per cent chance that that could happen, and many Party leaders told me that. But I did believe, however: That in case such a situation arose and the organization of the workers that were desirous of that change made it plain to those in control of capitalism that they wanted to achieve a system of socialization now, and if
> 6407 those in control of the capitalist organizations, the capitalist system as a whole, met them with violence then I did believe, and I sincerely believed that it would be necessary for the working class to resort to violence because they were being met with it."

Did you make that answer, Mr. Witness?

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The Witness: With all the "mights" and "buts" and "possiblys," I remember making such an answer substantially.

By Mr. Marcantonio:

Q. I am asking did you make that answer, Mr. Witness.
A. Yes, including all the mights and buts.

Q. Never mind the mights and buts. I will show you the answer. Did you make it? A. You don't have to show it to me.

Q. But you did make this answer that I read, Mr. Witness? A. Yes.

Q. Then were you asked this question?

> "Question: That is counter-violence after violence first used by some other side?"

And did you make this answer?

> "Answer: Yes. That was really my belief. But, nevertheless, I must say openly that it was a belief in the use of violence to achieve that aim." 6408

Did you make that answer? A. Yes.

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6409 Q. Were you asked this question?

> "During the period that you have held the beliefs that you have just described, did you consider your beliefs to be consistent or inconsistent—"

Get this, Mr. Story.

> "—with the teachings and advocacies of the Communist Party?"

Do you remember being asked that question? A. I believe so.

Q. Did you make this answer?

> "Answer: I believed them to be largely consistent because, first of all, I had discussed these questions with leading members of the Communist 6410 Party, men like Foster, men like Stachel, who were members of the Political Bureau of the Central Committee of the Party, and in cases even in some Communist writings it has been mentioned that in a country like the United States it might be possible that, well, the capitalists would have no fight left in them in this country because the capitalists in the other countries had been overcome. And I kind of rather like to choose to believe those statements rather than the contradictory statements on that subject appearing probably in

the same work by men like Lenin and so forth. Perhaps it was just a matter of wishful thinking on my part."

Did you make that answer, Mr. Witness?

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The Witness: Yes, I made that answer.

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6488 Redirect Examination

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By Mr. Story:

Q. Mr. Honig, how long was the general strike in 6500 1934 on? A. The general strike of all the unions involved, not just the Longshoremen?

Q. Yes. A. I don't recall the exact period. I know it started in July 1934, I believe. The general strike, as 6501 far as participation by all the original unions, lasted I believe less than a week. It collapsed within a week, as I recall it.

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6502 Q. Did you receive any report from the Communist Party of the United States as to why the general strike was called off? A. Yes, I did.

Q. What reports did you receive from the Communist Party of the United States?

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6503 The Witness: I received a report from the Communist Party that the general strike, not of longshoremen but of all the unions involved, had collapsed shortly afterwards because Vandaleur and O'Connell and George Kidwell, leaders of the American Federation of Labor, had denounced, had decided that the strike had been prepared by the Communist Party and that the Communist Party had too active a part in the preparation, and therefore they had decided to pull out of it and to call their unions out of the strike.

By Mr. Story:

Q. Did those unions pull out of the strike? A. A great many of the American Federation of Labor unions pulled out of the strike very shortly after it was called.

Mr. LaFollette: How do you know that?

The Witness: This report stated so.

Mr. LaFollette: How many reports did you get?

The Witness: I can't say. There were quite a number of reports on this particular phase.

Mr. LaFollette: From whom did the reports come?

The Witness: I received reports from Jack Stachel, signed by Jack Stachel, and there was at least one report signed by Earl Browder.

Mr. LaFollette: On the subject matter—

6504 The Witness: On what they called the betrayal of the general strike.

By Mr. Story:

Q. What positions did Stachel and Browder have at that time? A. Browder was the head of the Communist Party. I believe his title was secretary-general or secretary of the Communist Party. Jack Stachel, I think then he was acting head of the Trade Union Unity League, acting secretary of the Union Unity League, and both were members of the Political Committee of the Communist Party.

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6517 **Dr. Philip E. Mosely** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

Direct Examination

By Mr. Lenvin:

Q. Will you please state your name and address. A. My name is Philip E. Mosely, of New York City, 29 Clairmont Avenue.

Q. What is your present position, Dr. Mosely? A. I am Director of the Russian Institute of Columbia University and Professor of International Relations at Columbia University.

Q. How long have you held this position? A. I have been Director of the Russian Institute since February 1, 1951. I have been Professor of International Relations at Columbia University since July 1, 1946, on active duty from September 1, 1946.

Q. Prior to your appointment as Professor of International Relations at Columbia, what other positions have you held? A. In 1929-30 I was Instructor of History at
6518 Princeton University. From 1933 to 1935 I was Instructor in History at Union College in Schenectady, New York. From 1936 to 1942 I was first assistant professor and then associate professor at Cornell University, at Ithaca, New York.

Q. After 1942? A. From June 1942 until the end of August or the first week of September 1946 I was employed by the Department of State. From June 1942 until about April 1943 I was a senior research analyst in the Department of State, first in the Division of Special Research and then in the Division of Political Studies. From about April 1943 until January 1944 I was assistant chief in the Division of Political Studies, from January 1944 until September 1945 I was chief of the Division of Territorial Studies. From September 1945 until I resigned at the beginning of September 1946 to return to academic work, I was special assistant to the Assistant Secretary of State. During that time I attended the Moscow Conference of three foreign ministers in October 1943 as a member of the United States delegation. From June 1944 until August 1945 I was political adviser and deputy representative of the United States delegation to the European Advisory Commission in London. In July and the beginning of August 1945 I was a political adviser to the U. S. delegation to the Potsdam Conference. From September 1945 until the end of August 1946 I was a
6519 political adviser on the U. S. delegation to the Coun-

cil of Foreign Ministers meeting in London and Paris. From February 1946 until May I was the U. S. Commissioner on the Four-Power Commission for the investigation of the Yugoslav-Italian boundary. During July and August 1946 I was the U. S. representative on the Commission for the Drafting of the Statute of the Free Territory of Trieste and the Convention of the Free Port of Trieste.

Q. Dr. Mosely, would you give the panel, please, a brief description of your educational background? A. Yes. I was born and brought up in Westfield, Massachusetts. I was born in 1905. I was educated in the public schools of Westfield, graduating from the High School in 1922. I studied four years at Harvard College, 1922 to '26, receiving my degree, AB, summa cum laude in 1926. In 1926 and 1927 I studied at Cambridge University in England under a fellowship from Harvard College, doing my work principally with the late Professor H. V. W. Temperley, the co-editor of the British documents on pre-1914 diplomacy and the author of the principal work on the Paris Peace Conference of 1919.

In 1927-28 I was employed in England and France as a private tutor in an American family, and at that time I took some informal work at the London School of Economics and at the Free School of Political Science in Paris, Ecole Libre. At that time I also began a thorough study of Russian as a school to begin my later research in Russian
6520 history. In 1928-29 I did graduate work at Harvard University in European history and received my M.A. in history in 1930. After a year of teaching at Princeton, I received a fellowship in history from Harvard and went to Moscow, where I carried on research in Russian diplomatic history from July 1930 to April 1932, returning to Harvard in September 1932 and completing my Ph.D. degree in June 1933. The subject of my dissertation was Russian Diplomacy and the opening of the eastern question in 1838 and 1839. The major part of this study was published in the following year by the Harvard Press which also published

some eight or ten articles on other aspects of Russian diplomacy of the 1830's.

In 1935 and 1936 I received a post-doctoral fellowship from the Social Science Research Council and carried on studies in to village life in three Balkan countries, Roumania, Bulgaria and Yugoslavia. This involved interviewing the peasants in the villages, studying their family and village organization and customs. I published several articles on these problems.

Q. Dr. Mosely, do you speak, read or write any language other than English? A. Yes. I speak, read and write French and Russian. I read and speak German. I read and speak Serbo-Croatian and Roumanian. I read and understand some Italian and some Bulgarian, and I can read
6521 with a dictionary Czech, Polish, Ukranian, Spanish, Portuguese and Dutch.

Q. During the period of time that you have been engaged as Professor of International Studies at Columbia have you had occasion to be appointed to any consultative positions? A. During the period since 1946 I have occasionally served as a consultant to the Department of State on the Russian and European problems.

Q. Are you serving in any consultative capacity to any organization at this time, other than your work connected with Columbia University? A. Yes. I am now consultant to the Social Science Division of the Rockefeller Foundation. Beginning in January 1947 I served as a consultant. Then in April 1948 I was appointed a part-time assistant director in social sciences. I resigned that as of July 1, 1951, because of the pressure of other work and my research. I am continuing, however, as a part-time consultant. From 1938 to 1945 I was the Secretary of the Committee on Slavic Studies. This was a national committee appointed by the American Council of Learned Societies to assist in developing research and research resources and teaching in the general field of Slavic studies. In December 1945 I was made Chairman of this committee and in February 1947

this committee was reorganized as the joint committee on
Slavic Studies, appointed jointly by the American
6522 Council of Learned Societies and Social Science Re-
search Council. I served as Chairman of this Joint
Committee from February 1947 until I resigned in Septem-
ber 1950 in accordance with the principle of rotation.

From 1941 to 1945 I was also a member of the Committee on Intensive Language Instruction in the Emergency, a committee appointed by the American Council of Learned Societies to try to fill some of the gaps in our equipment to provide people with a knowledge of unusual languages ranging from Swahili to Japanese and Burmese and Thai, African, Russian, Chinese and so on. This was a private committee appointed by this leading council for the purpose of trying to meet this need for knowledge of what might be called out-of-the-way languages.

Q. Dr. Mosely, do you recall the titles under which you
published some of your more important written works? A.
I have published a study of Russian diplomacy toward Tur-
key and the Turkish Straits in the 1830's entitled "Russian
Diplomacy and the Opening of the Eastern Question in 1838
and 1839," published by the Harvard Press. I translated
and edited and abridged a history of the Russian Revolution
titled "The Great Russian Revolution," by V. M. Chernov,
which was published by the Yale University Press in 1936.
I published studies of Russian diplomacy of the 1930's in-
cluding a study of Russian policy toward the Spanish Civil
War at that time, the Russian policy toward Persia and Af-
ghanistan, and I published a number of studies of
6523 intellectual work in Russia, including in 1938 a study
in the Annals of the American Academy of Political
and Social Science entitled "Freedom of Scientific Inquiry
and Artistic Expression in the Soviet Union." In 1950 I
published in the proceedings of the American Philosophical
Society, at Philadelphia, a study of social science and the
conditions that have influenced its development in the Soviet
Union since the war. I have also published studies in For-

eign Affairs, the Yale Review, and a number of other periodicals of a scientific and general character.

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6524 Q. In connection with the various positions you have held and the studies that you have undertaken, have you had occasion to examine the publications and other materials issued by the Soviet Government or the leaders and spokesmen of the Communist Party of the Soviet Union or the leaders of the Comintern in matters which relate to the International and Foreign policies of the Soviet Union? A. Yes, I have. This is my principal line of research and has been both in its historical and contemporary aspects for more than 20 years. I am probably the only full professor in this country who is devoting his full time to teaching and research on Russian and Soviet foreign policy. I follow the development of Soviet foreign policy from day to day and I also try to gather in retrospect additional information to be used in my teaching and in research.

Q. Also, Dr. Mosely, have you had occasion to examine and study publications and other materials issued by the Communist Party of the United States? A. Yes, I have. I have consulted these materials frequently and have often referred to them in my research work.

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6531 Q. Dr. Mosely, have you also in the various positions which you have held and the research that you have undertaken had occasion to examine the publications and material issued by the States of Roumania, Bulgaria, Czechoslovakia, Yugoslavia, Poland and Albania? A. Yes, I have. I have not been able to examine them with the same regularity, largely because there are many gaps in the flow of materials, even those representing the point of view of the governments in those countries, but I have examined very substantial and typical parts of their publications setting forth the foreign policy of those governments.

Q. Have you also read with any degree of regularity the publication issued by the Communist Information Bureau entitled "For a Lasting Peace for a People's Democracy"? A. Yes, I have followed this publication from the time it began in November 1947, first issued in Belgrade, and then from July 1948 from Bucharest.

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6533 Q. Dr. Mosely, from your examination of the materials and other publications emanating from the Soviet Union have you been able to form any opinion as to the views and attitudes of the Soviet Union toward the League of Nations during the period of approximately 1919 to 1934?

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6535 THE WITNESS: I have, sir.

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6540 Q. Dr. Mosely, from your examination of the materials and other publications emanating from the Soviet Union have you been able to form any opinion as to the views and attitudes of the Soviet Union toward the League of Nations during the period from approximately 1919 to 1934? A. I have.

Q. What is that opinion that you have formed?

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THE WITNESS: From 1919 until the end of 1933 the leaders of the Soviet regime and of the Communist Party of the Soviet Union and of the Communist International attacked the League of Nations very bitterly. They described it as a league of robbers, an imperialist conspiracy, as a conspiracy to unleash a new war, as a plot to enslave dependent peoples, and particularly as a conspiracy to attack the Soviet Union and to destroy it. This opinion was expressed on innumerable occasions through speeches and other pub-
6541 lished pronouncements of the leaders of the Soviet
regime, the Communist Party of the Soviet Union, and of the Communist International.

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Q. I show you, Dr. Mosely, what is a certified translation of an article appearing in Izvestia for May 13, 1919, page 1, entitled "The League of Violence," and ask you whether you have ever read that statement before? A. I have read the statement. I have read it several times in Russian and I have examined this translation. It is a typical statement of Soviet criticisms of the League of Nations and its whole concept and activity.

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6551 Q. Dr. Mosely, this newspaper Izvestia, which you have examined—Do you know anything about this publication? A. Yes, I do. Izvestia in 1919 was the official newspaper of the Soviet of Deputies of the Toilers of Soviet Russia.

Q. In your opinion, would statements appearing in this publication reflect the official views of the Government?

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The Witness: The editor of Izvestia is appointed and removed by the Soviet Government and it is regarded in the Soviet Union and outside as the official mouthpiece of the Soviet Government.

By Mr. Lenvin:

Q. Referring again to this issue of Izvestia, a translation of which I showed you, Mr. Mosely, I would like to ask again in your opinion does this article fairly reflect the attitude of the Soviet Union toward the League of Nations as of the date of this article.

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6552 Q. Does it reflect the views and attitudes of the Soviet Union toward the League of Nations as of that date?

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The Witness: This statement in Izvestia repre-
6554 sents only one of numerous and continuing expres-

sions of official Soviet opinion concerning the League of Nations in 1919 and in subsequent years down to the end of 1933 or the beginning of 1934. It is a complete attack on the whole conception, notion, organization and alleged aims of the League of Nations.

By Mr. Lenvin:

Q. I also show you, Dr. Mosely, an excerpt from works by Joseph Stalin, Volume 10, August-December, 1927, published in Moscow in 1949. I specifically direct your attention to this excerpt which appears on pages 206 and 207, which I would like to offer as petitioner's exhibit for identification No. 164.

(The document referred to was marked for identification Petitioner's Exhibit 164.)

By Mr. Lenvin:

Q. I ask you whether you have ever read that before. A. I have. I have read it many times both in the original Russian version of Stalin's Collected Works and in this translation.

Q. In your opinion, Dr. Mosely, does this excerpt which I have shown you reflect the attitude of the Soviet Union toward the League of Nations as of that date?

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6555 The Witness: It does in my opinion. Stalin was then the Secretary-General of the Communist Party Bolshevik of the Soviet Union and a member of the Politburo of the Central Committee of the Communist Party. This statement of his views has been published many times since the conference was held in November 1927. One of the most recent versions in Volume 10 of his Collected Works was issued by direction of the Central Committee of the Communist Party in 1949. Therefore, it must be assumed that it is an authoritative opinion of his views as of the time that he expressed them.

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6559 Q. Dr. Mosely, in your examination of the publications and other materials which have been issued by the Communist Party of the United States, have you been able to form any opinion as to what the views and attitude of that Party was toward the League of Nations during the period from 1919 to 1934? A. I have. Through its publications the Communist Party of the United States commented frequently and in great detail on the League of Nations and its activities and thus there is abundant materials to form an opinion.

Q. I show you, Dr. Mosely, an editorial, which appeared in the Daily Worker for December 19, 1925, entitled "Pacifist Propaganda for World Court," which we would like to identify as Petitioner's Exhibit 165, and ask you if you have ever read that editorial before. A. I have. I have read this editorial before.

(The document referred to was marked Petitioner's Exhibit 165 and received in evidence.)

By Mr. Lenvin:

Q. In your opinion, Dr. Mosely, does that editorial reflect the views and attitude of the Communist Party of the United States toward the League of Nations as of that date? A. It does.

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6569 Q. Dr. Mosely, to what extent have your research in the positions that you have held required you to read and study publications issued by the Communist Party of the United States, the Respondent in this case? A. I read extensively the publications, past and present, of the Communist Party of the United States. This means that for extensive periods I read their daily and monthly publi-
6570 cations, such as the Daily Worker, the Sunday Worker, Political Affairs, formerly The Communist. Then at other times in the course of my research review over a period of some months or several years their expressions of view on a given problem. In other words, I read exten-

sively currently and also I have occasion in the course of my own research and of supervising the research of others, to review the past expressions, for example, on a given international problem. I will go back through their publications over a period of anywhere from one to 20 or 30 years, depending on the nature of the subject. In my work I supervise the research training and actual research of anywhere from 15 to 30 graduate students in any given year, and at the present time there are 18 candidates for the Ph.D. who are preparing their dissertations under my supervision. So in many cases I also have occasion to advise them in their research and to review the materials which they bring out in the course of their research. In other words, my research facilities are much more extensive than those of just one single person. It represents a whole series of studies in the course of which I have occasion to supervise closely the review of the materials of the Communist Party of France or the Communist Party of Germany or the Socialist Unity Party of Eastern Germany or the Workers Party in Poland or the Communist Party in India, and so forth.

I would say it is not possible for one person to read
6571 and follow all the publications of all the parties, but
that naturally those in languages accessible to me, which I have listed previously, I do follow them closely at first hand and also through supervision of the reference to these materials on the part of conscientious and able graduate students.

Q. Now, Dr. Mosely, have you been able to form any opinion as to the views and policies which the Communist Party of the United States had toward the League of Nations from the time of its establishment to about the year 1934?

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THE WITNESS: Yes, I have. During this period the Communist Party of the United States attacked the League of Nations as a league of robbers, as an imperialist conspiracy, as a plot to attack and overthrow the Soviet Union. The terms in which they attacked the League of Nations were directly parallel to the terms in which the Soviet Press and other public pronouncements—

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6572 Q. You may continue, Dr. Mosely. A. The arguments, the line of reasoning, the accusations brought against the League of Nations by the publications of Communist Party of the United States were directly parallel with the accusations which appeared in Soviet 6573 official pronouncements and in the Soviet Press and other publications of the Soviet Union.

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Q. I show you, Dr. Mosely, Petitioner's Exhibits 165 and 166 and ask you if you have taken into consideration in arriving at your opinion these two articles.

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6575 Q. The question was: Have you taken into consideration these articles, which have been identified as Petitioner's Exhibits 165 and 166, in forming your opinion as to the views and attitudes and policies, of the Communist Party, USA, toward the League of Nations as of the period we have under discussion?

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6576 The Witness: I have.

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Q. Now, Dr. Mosely, did there come a time after 6595 1934 when the views and policies of the Soviet Union underwent a change toward the League of Nations? A. Such a change occurred in 1934.

Q. What was the occasion for such a change, if any?

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The Witness: In September 1934 a large group of nations represented in the League of Nations extended an invitation to the Government of the Soviet Union to join the

League of Nations. The Soviet Government accepted this invitation and in September 1934 joined the League of Nations. This change had been foreshadowed by an interview which Mr. Stalin gave at the end of December 1933 in which he stated that the attitude of the Soviet Government toward the League of Nations need not always be contradictory or hostile, that under certain conditions the League of Nations might now play a positive role in preventing the spread of war and aggression, and that under those conditions
6596 the League of Nations might receive Soviet support.

The reasons for the Soviet change of view were further elaborated by the then People's Commissar for Foreign Affairs, Mr. Litvinov in his speech of acceptance of membership in the League of Nations, including a permanent seat on the League Council. Here he spoke in terms of approval of the League of Nations, placing—

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6597 Q. Now, Dr. Mosely, I ask you whether, in forming your opinion as to the views and attitudes of the Soviet Union toward the League of Nations after it became a member, you took into consideration these items which have been marked as Petitioner's Exhibits 167 and 168. A. I did. They are authoritative expressions of the view of the Soviet Government. One item is the official text of the reply of the Soviet Government to the President of the Assembly of the League of Nations, and the other is an authoritative speech by the then People's Commissar for Foreign Affairs, the authorized spokesman of the Government of the Soviet Union on foreign policy.

* * * * * * * * * *

6599 Q. Dr. Mosely, from your examination of the publications and other material issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that Party toward the League of Nations after 1934 or after the Soviet Union became a member of the League of Nations?

* * * * * * * * * *

The Witness: I have. After the Soviet Government joined the League of Nations, the Communist Party of the United States praised the League of Nations as a potential obstacle to the expansion of war and aggression and stated that the League had now been strengthened because of the adherence of the Soviet Government to it. The terms in which it now describes the League of Nations were parallel to the expressions of views as advanced by Soviet officials and by the Soviet Press.

6600 By **Mr. Lenvin**:

Q. In connection with your arriving at this opinion, Dr. Mosely, I show you petitioner's Exhibit No. 169 and direct your attention specifically to an article entitled "The Seventeenth Anniversary of the October Revolution," appearing in The Communist for November 1934.

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Q. I ask you whether you took that article into consideration in arriving at your opinion regarding the views and attitude of the Communist Party toward the League of Nations after the Soviet Union became a member of the League of Nations.

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6604 **The Witness**: My answer to the last question is that I did take this article into account in forming my opinion as I read it both at the time and have read it since.

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Q. Now, Dr. Mosely, did there come a time when the Soviet Union again changed its official attitude toward the League of Nations? A. Yes, in December 1939 the Soviet Government changed its attitude. It now attacked the League of Nations as an organization for the spreading of war, for the promotion of aggression, and for the organizing and planning of an attack upon the Soviet Union.

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6605 Q. Dr. Mosely, I show you what is being marked as Petitioner's Exhibit for identification 170.

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6606 Q. I ask you whether you have ever read this article before. A. Yes, I have. I read it shortly after it was published in Russian, and I read the translation.

Q. Now I ask you, Dr. Mosely, whether in forming your opinion as to the attitude of the Soviet Union toward the League of Nations at the end of 1939 you took into consideration this article. A. I did. This is an announcement by the official Soviet Telegraph Agency, published widely in the Soviet daily and periodical press at the time. It therefore must be presumed to represent the official view of the Soviet Government concerning the expulsion of the Soviet Union from the League of Nations on the occasion of the attack upon Finland.

Q. Dr. Mosely, in your examination of the materials and other publications issued by the Communist Party of the United States, have you been able to form any opin-
6607 ion as to the attitude, views and policies of that party toward the League of Nations after December 1939? A. I have.

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THE WITNESS: The official press of the Communist Party of the United States now attacked the League of Nations because of its expulsion of the Soviet Government. It defended the action of the Soviet Union in attacking Finland. In its exposition and argument on these events in 1939 its expressions of opinion and the policies which it advocated paralleled those of the Soviet official press and the Soviet Government.

By MR. LENVIN:

Q. In arriving at that opinion, Dr. Mosely, I ask you whether you took into consideration this article appearing in the Daily Worker for Saturday, December 16, 1939, which is a re-print of the text of Earl Browder's address at the Peace Federation at the Massachusetts Institute of Technology. A. Yes, I did. I read this at the time and have read it since.

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6609 Q. Dr. Mosely, in your examination of the materials and other publications emanating from the Soviet Union did you become aware of an internal conflict within the Communist Party of the Soviet Union some time during the second half of the 1930's?

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A. During 1936 into 1938 the Government of the Soviet Union conducted several trials of formerly outstanding leaders of the Communist Party of the Soviet Union. In the first trial two of the prominent defendants were Kamenev and Zinoviev. In the second trial among the prominent former leaders of the Party were Sokolnikov, Serebriakov and Piatakov. In the third trial among the outstanding former leaders were Bukharin, Rykov, Yagoda, Krestinsky, and Rokovsky.

Kamenev had been the Chairman of the Council of Peoples Commissars. Zinoviev had been the second secretary-general of the Communist International. The others had all held prominent positions in the Government and the
6610 Party in the Soviet Union. Yagoda had been the head
of the political police for a number of years. Krestinsky had been vice Commissar of Foreign Affairs. Rokovsky had been ambassador to Paris, and so forth. Bukharin had been regarded by Lenin—

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The Witness: Thank you, sir.

6612 In these trials the defendants were accused of being traitors to the Soviet Union, of being the agents of foreign powers, of becoming spies and agents of Fascism, of conspiring to plan the defeat of the Soviet Union, and to dismember Soviet territory. They were also denounced as wreckers and murderers and saboteurs.

By Mr. Lenvin:

Q. Dr. Mosely, can you identify the publication known as Pravda? A. Yes. Pravda is the official organ of the

Central Committee and the Moscow Committee of the Communist Party Bolshevik of the Soviet Government. Its editor is appointed and removed by the Politburo of the Central Committee of the Communist Party of the Soviet Union. It is therefore the most authoritative organ of the Communist Party in the Soviet Union.

Q. Dr. Mosely, I show you an issue of Pravda marked for identification as Petitioner's Exhibit 172.

(The document referred to was marked for identification Petitioner's Exhibit 172.)

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6613 Q. Dr. Mosely, did the Soviet Government adopt an official view or attitude toward the trial of these defendants? A. It did. The Soviet Government upheld in every particular the indictments which were brought against the defendants.

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Q. Dr. Mosely, I show you this issue of Pravda for January 27, 1937, the article "Terrible Waves of National Ire and Hatred," and ask you if you ever read this article. A. Yes, I read it in Pravda in Russian shortly after it was published, and I have re-read it since in Russian and in English. I have also read the full published testimony as printed by the Soviet Government on each of the three trials.

Q. May I ask you, Dr. Mosely, whether in your opinion this article in Pravda reflects the attitude or the position of the Soviet Union toward these trials that you
6614 have mentioned?

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THE WITNESS: Yes, in my opinion it does. It repeats the principal accusations in even more vehement language, and while the trial was still proceeding on January 27, 1937 it demanded the conviction of the defendants. It entertained no doubt whatever concerning their guilt in advance of the finding of the Soviet Court.

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Q. Dr. Mosely, from your examination of the materials and publications issued by the Communist Party of the United States, have you been able to form any opinion as to what the attitude and views of that party were toward these trials that you have mentioned? A. Yes, I have.

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6615 The Witness: Through its official publications the Communist Party in the United States upheld in every respect the accusations brought in the trials in Moscow, upheld fully the procedure followed in the trials, and also the sentences which were imposed. Its presentation of and defense of the trials and their conduct was parallel to those presented in the Soviet press.

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6617 By Mr. Lenvin:

Q. Dr. Mosely, I would also like to ask you whether in arriving at your opinion as to the official attitude of the Soviet Government toward the so-called purge trials you also took into consideration an issue of Pravda for January 30, 1937, and specifically an article entitled "The Sentence of the Court is the Voice of the People."

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(The document referred to was marked for identification Petitioner's Exhibit No. 173.)

The Witness: Yes, I did take this into account. It is a leading article in Pravda, the official party newspaper, published immediately after the conclusion of the trial of January 1937.

In my opinion it represents the opinion of the Soviet Government concerning the trial and interpretation which it gave, including its interpretation of the foreign policy aspects of the trial and charges that were presented
6618 there.

Mr. Lenvin: I show you, Dr. Mosely, what has been marked Petitioner's Exhibit 174 and Petitioner's Exhibit 175 for identification.

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Q. I show you exhibit 174 and I draw your attention to the article appearing commencing on the bottom of the first page of the Daily Worker, and Petitioner's Exhibit 175, an article appearing in The Communist for March 1937, and the article by I. Amter entitled "The Trial of Trotskyite Agents of Fascism," and ask you whether you have ever read those two articles before. A. Yes, I have. I read them at the time and have read them again since. I took these materials into account in forming my opinion concerning what constitutes the attitude of the Communist Party of the United States toward these events and trials in the Soviet Union. The press publications of the Communist Party of the United States supported completely the charges which were brought in Moscow, expressed its approval of the procedure and conduct of the trials, attacked bitterly all those who criticized either the procedure 6619 or the substance of the trials and concurred completely in the opinions expressed in the Soviet Press concerning the nature and significance of the trials.

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Q. Dr. Mosely, it is a matter of historical fact, is it 6621 not, that the Soviet Union and the state of Finland engaged in armed conflict some time in 1939. A. It is so. During October and November of 1939 the Soviet Government presented to the Government of Finland—

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During those two months of October and November of 1939 the Soviet Government presented a series of demands upon the State of Finland, with which it had until then peaceful relations. It demanded valuable strategic and economic territory which it had recognized in the treaty of 1920 as being legally part of Finland, and now, for reasons which were sufficient to itself, the Soviet Government demanded cession of pieces of territory which were very important economically and strategically to Finland.

When these demands were rejected by the Finland government, the Soviet Union invaded the territory of Finland on November 30, 1939, alleging, however, that Finnish 6622 troops had first invaded Soviet territory. The Soviet Government, however, refused to agree to any impartial investigation of the facts concerning this, and within a few hours after the alleged attack of Finnish troops, Soviet troops were actually well within the Finnish territory. The war then continued until the middle of March 1940.

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Q. I show you, Dr. Mosely, an issue of Pravda, marked as Petitioner's Exhibit 176.

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Q. Issue of November 30, 1939, which contains a copy of a speech delivered over the radio by Chairman of the Soviet Peoples Commissar for the USSR, Comrade V. M. Molotov, November 29, 1939. I ask you whether you have ever read it before. A. Yes, I have read it in Pravda 6623 shortly after it was published in that organ, and I have since read it a number of times. At that time Mr. Molotov was chairman of the Council of People's Commissars and also People's Commissar for Foreign Affairs and a member of the Politburo of the Central Committee of the Communist Party of the Soviet Union. This must be regarded as the most authoritative statement of the Soviet view of the war with Finland which had just broken out.

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Q. Dr. Mosely, in your examinaion of the materials and other publications which have been issued by the Communist Party, have you been able to form any opinion as to the views and attitude of that Party, that is, the Com-

6624 munist Party of the United States, toward the Soviet-Finnish conflict? A. Yes, I have. I have read the publications of the Communist Party of the United States at the time, and I have read them again since. The official views as expressed by the Communist Party of the United States gave full support to the Soviet position, threw all blame for hostilities upon the Finnish Government, defended all the claims presented by the Soviet Government, and declared that the action of the Soviet Government against Finland was a step toward strengthening peace. Its expressions of opinion were directly parallel with those of the official Soviet views as expressed in the Soviet press.

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Q. I show Dr. Mosely the Daily Worker for Friday, December 1, 1939, and direct your attention to the first page, which has been marked Petitioner's Exhibit 177.

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Q. I ask you if you have ever read that page before.
6625 A. Yes, I have I read it at the time and I have read it since.

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Q. Did you take into account in arriving at your opinion regarding the attitude of the Communist Party of the United States toward the Russo-Finnish conflict the articles appearing on that page?

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THE WITNESS: Yes, I did. I took this into account at the time and since in forming my opinion concerning the position of the Communist Party in the United States toward the Soviet-Finnish conflict.

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6645 Q. Would you state, Dr. Mosely, what the attitude or views of the Soviet Union were towards the invasion of Poland in 1939? A. Through its official spokesmen and through its press, controlled by the Government or the

Party, the Soviet Government stated that Poland had ceased to exist as a state and that therefore it was entitled to take under its protection the eastern territories of former Poland. It stated that the war no longer had any reason to continue, that therefore England and France were
6646 guilty of starting the war because they insisted that they were continuing the war in defense of Poland, which had ceased to exist.

Shortly after this time Soviet spokesmen and the Soviet press declared that the proposals which the German Government had now made for ending the war, leaving Germany in possession of the territories which it had seized, was a positive contribution to peace and that the British and French governments which rejected that offer were therefore guilty of warmongering. The official press went so far as to state that Hitlerism was a matter of taste and not grounds on which a war should be fought. The Soviet Government through its official channels also maintained that the action of the Soviet Government in Poland was a contribution to the strengthening of peace and therefore should be supported.

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Q. I show you, Dr. Mosely, which has been marked Petitioner's Exhibit 178, an issue of Pravda for September 18, 1939, page 1, copy of a speech delivered over the radio
6647 by the Chairman of the Soviet of People's Commissars of the USSR, Comrade Molotov, September 17, 1939, and also show you what has been marked as Petitioner's Exhibit 179, Izvestia for October 9, 1939, and ask you whether, in arriving at your opinion as to the attitude of the Soviet Union toward the invasion of Poland, you took into consideration these two items. A. I did.

Q. In your opinion, Dr. Mosely, are these two items illustrative or do they reflect the attitude of the Soviet Union toward the invasion of Poland? A. They did. The first item, 178, is an official speech by one of the leaders of the Soviet regime. Mr. Molotov at that time was not only chairman of the Council of People's Commissars, but also People's Commissar for Foreign Affairs and a member of the Politburo of the Central Committee of the Party. The article in Izvestia of October 9, 1939, entitled "Peace or War?" was published in the left-hand side of the front page, which is the normal position for pronouncements of the official government policy.

Q. Dr. Mosely, in your examination of the materials and other publications issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitudes of that party toward the Soviet invasion of Poland in late 1939?

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6648 THE WITNESS: I have been able to form such an opinion.

By MR. LENVIN:

Q. In your opinion what were the views and attitudes of the Communist Party regarding that particular matter? A. The Communist Party of the United States approved wholeheartedly the treaty of non-aggression between the Soviet Government and the German Government and declared that it was a contribution to the strengthening of peace and that it deserved universal support.

When the Soviet troops had entered Poland, the official press of the Communist Party of the United States declared again that this was a contribution to peace and that any opposition to it was due only to warmongers. It then went on to state that the German proposals for a settlement based on the military situation then obtaining after the division of Poland were a serious contribution to the restoration of peace and that any governments, meaning the British and French Governments, that rejected it were therefore warmongers and guilty of the war.

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6649 Q. I show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit 180, which is an issue of the Daily Worker for Tuesday, September 19, 1939, and particularly this article entitled "Keep America out of the Imperialist War." I ask you whether you have ever read this article before. A. Yes, I have; at the time and since.

Q. Did you take it into consideration, in arriving at your opinion regarding the views and attitude of the Communist Party of the United States regarding the matter which we have under discussion? A. I did take it into account.

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The Witness: It is a declaration of the national committee of the Communist Party of the United States and therefore was accepted by me as a firm statement of its position on the war which had broken out in Europe.

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6650 Q. Dr. Mosely, will you state briefly what was the political status of the three Baltic countries of Latvia, Estonia, and Lithuania, prior to 1940?

Mr. Abt: I object.

Mr. LaFollette: Overruled.

Mr. Lenvin: Simply background.

The Witness: Prior to 1940, Estonia, Latvia and Lithuania were independent states, members of the community of nations and members of the League of Nations as long as it functioned. Their independence and territorial integrity had been recognized by the Soviet Government in treaties signed by it in 1920 and 1921, and the Soviet Union had concluded treaties of friendship and non-aggression, and another treaty defining the aggressor.

By Mr. Lenvin:

Q. By the end of 1940 what was the political status of these three Baltic countries?

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The Witness: By the end of 1940 these three formerly independent states had been incorporated into the Soviet Union as union republics.

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6651 **The Witness**: In June 1940 the Soviet Government declared that the existing governments in these three republics were not friendly to the Soviet Government and must be replaced. It also demanded the right to introduce unlimited numbers of Soviet armed forces into their territory. As a result of the formation of new governments in these three republics, one-ticket elections were held, and in the beginning of August 1940 the newly elected bodies requested admission to the Soviet Union. In the beginning of August 1940 this request was granted, and they were formally incorporated into the Soviet Union.

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6652 **Mr. LaFollette**: When the time comes, I am going to permit you to make your record. I still state that the Panel does not consider this testimony as one characterizing the action of the Soviet Union as good, bad or otherwise, but simply as historical background and it is being so treated.

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6656 Q. Dr. Mosely, have you been able to form any opinion regarding the attitude and the views which the Soviet Union took toward the incorporation of these three Baltic countries into the Soviet Union? A. Yes, I have. Through statements of official spokesmen and through the official press, the Soviet Government expressed its full approval of the various steps by which the three Baltic Republics were joined to the Soviet Union. Through these statements the Soviet Government declared that these steps were a means of strengthening peace, and they bitterly rejected all criticisms made of those steps and of that annexation.

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Q. Dr. Mosely, I show you what has been marked 6657 Petitioner's Exhibit for identification 181, which is a copy of Izvestia for Friday, August 2, 1940, and ask you whether you have ever read that particular item before. A. Yes, I have.

Q. In your opinion, Dr. Mosely, does this item reflect the views and attitude of the Soviet Union toward the incorporation of the three Baltic countries which we have been discussing? A. It does, in my opinion. It is a full and authoritative statement of the Soviet interpretation of these events, given by one of the highest leaders of the regime and of the Communist Party Bolshevik of the Soviet Union.

Q. Dr. Mosely, in your examination of the materials, publications, and other matter issued by the Communist Party of the United States, have you been able to form any opinion regarding the views and the attitude of the Communist Party of the United States toward the incorporation of the three Baltic countries that we have been discussing into the territory of the Soviet Union? A. I have been able to form such an opinion.

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6658 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit 182, which is The Communist for November 1940, and direct your attention to an article entitled "Soviet Socialist Republics in the Baltics," and ask you whether you have ever read this article before. A. Yes, I have read this article at the time and since.

Q. In your opinion, Dr. Mosely, does this article reflect the views and attitude of the Communist Party of the United States toward the incorporation of the three Baltic countries we have been discussing into the territory of the Soviet Union? A. Having been published in the authoritative organ of the Communist Party in the United States, it must be accepted as an expression of the view of that Party toward these events. It supports fully the Soviet interpretation of these events. Its reasoning is parallel to that of the Soviet spokesmen.

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6660 Q. Dr. Mosely, what do you understand by the meaning of the term "United Front"?

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THE WITNESS: Prior to 1934 the term "United Front" was used generally to mean the advocating of the formation of common groups for action in favor of the aims pursued by the various Communist Parties. This was usually pursued in the form of a United Front from below, that is, an attempt by common action to draw over the supporters of other organizations such as other political parties and trade unions into support of the concrete program of the Communist Party and its affiliates. Sometimes this was pursued by setting up separate organizations, as, for example, among trade unions, sometimes by working within them. The basic concept, however, was that the advancement of the social revolution and the achievement of the dictatorship
6661 of the proletariat demanded that the working class should first be basically united in a single party under Communist leadership and that in order to achieve this it was necessary to discredit and to destroy the leadership of competing parties, particularly those which also claimed to represent the interests of the workers.

During 1934 and 1935 an important shift occurred in the conception of the United Front, both as it affected internal and foreign policy.

MR. LAFOLLETTE: You are speaking now of the Soviet Union?

THE WITNESS: Of the separate Communist parties.

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6666 THE WITNESS: In 1935 a considerably revised concept of the United Front was adopted as general policy and was codified at the Seventh Congress of the Communist International, held in Moscow in July and August 1935. Under this concept it was now not only permissible but desirable to enter into arrangements for the cooperation for common aims with the leaders of other non-communist parties and non-communist trade unions and other social

and economic organizations. This was to be a means of preventing the spread of war and Fascism, of stressing the fact that democracy of the western type, as it is now called, was preferable to fascism, a dictatorship which destroyed autonomy of all organizations and subordinated them to a single totalitarian rule. This was a change in that
6667 it merited and encouraged direct agreements with the leadership of other parties and groups which previously it had been the avowed purpose to destroy.

However, in explaining the importance of the United Front concept, the Secretary-General of the Communist International, the late George Dimitrov, emphasized that the purpose should be to move from the first stage, that of a United Front for electoral purposes and for purposes of exerting pressure upon their respective governments by the Communist Parties in defense of peace and democracy and of the Soviet Union, to the creation of a people's democracy, and that the people's democracy would mean that the Communist Party would be one of the leading parties in the respective governments, and that this would be followed by a further stage, that of the establishment of the dictatorship of the proletariat.

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Q. I show you, Dr. Mosely, what has been marked as Petitioner's exhibit for identification 183, which is an
6668 issue of Pravda for August 6, 1935, and an issue of Pravda for August 15, 1935, and which has been marked for identification as Petitioner's Exhibit 184.

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Q. And I ask you whether in arriving at your concept regarding the United Front you took into consideration those two articles. A. I did. The first, No. 183, was an editorial in Pravda, the official organ of the Central Committee and of the Moscow Committee of the All Union Communist Party Bolshevik of the Soviet Union. This was an editorial which appeared in the customary place, on page 1, and would therefore be regarded by conscientious scholars as representing the viewpoint of the Soviet Government. It advocated union of all anti-fascist forces in defense of democracy and peace.

Exhibit 184 was also published in Pravda and consisted of excerpts from the concluding speech of the secretary-general of the Communist International, the late Mr. Dimitrov, in which he set forth in some detail the general approach and tactic recommended by the Communist International at its Seventh Congress to all its member parties.

Q. Now, Dr. Mosely, in your examination of the publications and other materials issued by the Communist Party of the United States, have you been able to form any
6669 opinion as to what the views and attitude of that Party were toward the United Front concept at the end of 1935? A. I have.

Q. Will you state what the views and attitude were, in your opinion? A. Through its official resolutions and through editorials in its authorized press, the Communist Party of the United States commented frequently and in detail on the decisions concerning the changed concept and tactic of the United Front. It called for cooperation among all anti-fascist groups and parties on a minimum program for the defense of peace and democracy and the repulsion of war and the growth of fascism. The terms in which its recommendations and policies were set forth paralleled closely the terms and recommendations set forth by the Seventh Congress of the Communist International through its published records and the position taken by the Soviet press on the same issue.

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Q. Dr. Mosely, I show you what has been marked for identification as Petitioner's Exhibit 185, which is
6670 an issue of The Communist for December 1935, and direct your attention to page 1182, which contains the resolutions adopted at the November plenum of the Central Committee of the Communist Party, USA, entitled

"The Seventh World Congress of the Communist International and the Tasks of Our Party," and ask you whether you have ever read those resolutions before. A. Yes, I have. I read them at the time and I have read them a number of times since.

Q. In your opinion do these resolutions reflect the views and attitudes of the Communist Party of the United States toward the United Front concept which you have described? A. This represents a resolution adopted by the plenum of the Central Committee of the Communist Party of the United States and would therefore be regarded by any conscientious research worker or scholar as representing the authorized and official point of view of that Party.

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6671 Q. It is a historical fact, is it not, Dr. Mosely, as you have already testified, that the Soviet Union and Nazi Germany entered into a treaty of non-aggression in 1939? A. It is the fact. The treaty was dated August 23, 1939.

Q. In your examination of materials and publications emanating from the Soviet Union have you been able to arrive at any opinion as to the attitude of the Soviet Government toward Nazi Germany prior to the signing of this non-aggression pact? A. Yes, I have. There was abundant comment by leading Soviet spokesmen and also by the Soviet press. During the period 1934 into the middle of 1939 the
Soviet point of view as expressed repeatedly through
6672 these official channels, was that Nazi Germany was
preparing aggression, that its leaders were warmongers, that its aim was to destroy democracy and peace and to extend its power by military force. The Soviet Government, through many channels, including speeches at the League of Nations, called for the formation of strong and united forces to prevent the outbreak of a new war and to prevent the development of the Nazi plans for expansion.

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Q. Dr. Mosely, have you been able to form any opinion regarding the views of the Soviet Government toward Nazi Germany after the signing of the treaty of non-aggression in 1939? A. Yes, I have.

Q. What was the attitude of the Soviet Government after the signing of the treaty of non-aggression towards Nazi Germany? A. After the signing of the treaty of non-aggression with Germany, of August 23, 1939, the Soviet Government maintained that this treaty was a positive contribution to the maintenance of peace and then when peace was not maintained but was broken by the German attack on Poland, the Soviet Government maintained that this 6673 treaty was still a contribution to peace in that it limited the spread of the war. After the defeat of Poland and the conquest of Polish territory, the Soviet Government through its official spokesmen and press maintained that there was no further reason to fight, that England and France were guilty of prolonging the war through their insistence on opposing Hitler's ambitions, and the Soviet press stated that Hitlerism was not an adequate motive for continuing the war, that it was a matter of taste or, as Mr. Molotov said in an official speech, it was a matter of political opinion.

Q. Dr. Mosely, I would like you to refer to the editorial which I have previously shown you, entitled "Peace or War?" which appeared in Izvestia for October 9, 1939, and which has been identified as petitioner's Exhibit 179, and ask you whether in your opinion this editorial reflects the views and attitudes of the Soviet Union toward Nazi Germany as of that date. A. It does, in my opinion. It is one of the expressions of official opinion at the time that Germany had made valuable proposals for concluding peace on the existing military situation as created by the destruction of Poland, and that any country which rejected those proposals was guilty of prolonging the war and of prolonging it, in the opinion of the Soviet, unnecessarily.

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6689 Mr. Lenvin: I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit 186.

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Q. Which is an issue of Pravda for November 1, 1939, and I ask you whether you have ever read that before. A. I have. I read it on the following day in the Tass Radio Record. I read it a few days later in the Pravda published in Moscow in Russian, and I have frequently had occasion to refer to it since, both in Russian and in English translation.

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Q. And in your opinion, Dr. Mosely, is this report illustrative of the attitude of the Soviet Union toward Nazi Germany as of that date?

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6690 The Witness: This statement was made by the Chairman of the Council of People's Commissars and the People's Commissar for Foreign Affairs and a member of the Politburo of the Central Committee of the Communist Party Bolshevik before a meeting of the Supreme Soviet of the USSR. It is typical of the whole explanation and foundation of Soviet foreign policy of that time. Its basic points were repeated in many forms through newspapers and other published channels.

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Q. Dr. Mosely, in your examination of the publications and other materials issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that Party toward Nazi Germany or to the signing of the non-aggression pact between the Soviet Union and Germany? A. I have.

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6691 Q. Will you state your opinion? A. Through the examination of the official pronouncements of the Communist Party of the United States and its official publications of that time, an examination which I made at the time and have made since, it is my opinion that the Communist Party of the United States prior to the conclusion of the Soviet-German treaty of non-aggression of August 23, 1939, regarded Hitler Germany as the main danger to peace and democracy, the main threat of war for conquest and aggression, favored the widest possible cooperation within individual countries and among countries to 6692 resist this danger. In this position it paralleled in general terms the position taken by the spokesmen and official publications representing Soviet foreign policy.

By Mr. Lenvin:

Dr. Mosely, from your examination of the materials and publications issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that Party toward Nazi Germany after the signing of the non-aggression pact between the Soviet Union and Nazi Germany? A. Yes, I have been able to form an opinion based on a careful study of the published pronouncements of the Communist Party in the United States. After the conclusion of the Soviet-German treaty, the Communist Party of the United States maintained that this was an important contribution to the maintenance of peace and that peace would now be assured. When, however, peace was destroyed by the German invasion of Poland, the Communist official publications in the United States maintained that the Soviet-German pact was a valuable contribution to peace because it would limit the spread of the war. After the completion of the destruction of Poland, the Communist Party of the United States maintained that there was now no reason for further warfare or fighting, that if England and France refused to accept the terms of settlement then offered by Germany, they were guilty of both causing 6693 and prolonging the war and that the war was then merely a war for world domination fought by England and France, and that they should receive no assistance from any person or group or country which was in favor of peace.

In this view the Communist Party of the United States through its official publications followed in very similar terms the position taken by the official organs of the Soviet Union in this matter of foreign policy.

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Q. I show you, Dr. Mosely, what has been marked
6694 as Petitioner's Exhibit for identification 187.

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Q. Which is an issue of the Daily Worker for August 24, 1939, M-33, and I direct your attention to this article " 'Non-aggression Pact Weapon for Peace, Open to All Nations', says Browder," and I ask you if you have ever read that before. A. Yes, I have read this article, both at the time and a number of times since.

Q. In forming your opinion as to the views and attitude of the Communist Party toward the Soviet-German Pact, did you take into consideration that article? A. I did.

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Q. In your opinion, Dr. Mosely, does that article reflect the view of the Communist Party toward the Soviet-German non-aggression pact as of that date? A. Yes, it does. Since
it appeared in the Daily Worker and since Mr. Brow-
6695 der was then general secretary of the Communist
Party of the United States, any conscientious scholar would assume that this represented the statement of his views which, as a Party official, he wished to have presented, and would assume that it represents his views and those of the Communist Party of the United States as of that date.

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Q. Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification 188, which is the Daily Worker for Friday, August 25, 1939, and direct your attention to the editorial appearing on the left-hand side of page 1 entitled "A Smashing Blow at Munich Treachery and Aggression," and I ask you whether you have ever read that editorial before. A. Yes, I have. I read it at that time and I have read it a number of times since.

Q. In arriving at your opinion as to the views and attitude of the Communist Party toward the Soviet-German non-aggression pact, did you take into consideration that article A. Yes, I did. I took into account this article
6696 and other similar articles of the same period.

Q. In your opinion, does this editorial reflect the attitude and views of the Communist Party toward the Soviet-German non-aggression pact as of that date? A. Since it appeared in the Daily Worker in the position of an editorial, any conscientious scholar would assume that it represented the official view of the Party as of that date.

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6700 Q. Dr. Mosely, what in your opinion was the attitude of the Soviet Union toward wars in general?

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6701 The Witness: Yes, sir.

The leaders of the Soviet Regime and the formulators of the Soviet version of Marxism have devoted a good deal of attention to the analysis of the character of modern wars, and in particular have developed the doctrine and judgment of just and unjust wars. Wars fought between so-called capitalist and imperialist nations they regard as unjust wars. A war fought by a small people or an oppressed or colonial people for its liberation they consider as a just war. A war fought in defense of a Communist or Communist-led regime they regard as a just war.

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Q. In view of your statement, what in your opinion was the attitude of the Soviet Union toward the war which was in progress between England and France on the one
6702 side and Germany on the other subsequent to the signing of the Hitler-Stalin Pact in 1939?

Mr. LaFollette: Is there any termination period on that?

Mr. Lenvin: I can put one.

By Mr. Lenvin:

Q. The period from the signing of the non-aggression pact between the Soviet Union on the one hand and Germany on the other, and up to June 21, or 22, 1941.

Mr. LaFollette: That conforms with the allegation of your petition.

Mr. Lenvin: That is right.

Mr. LaFollette: Proceed.

The Witness: During this period the Soviet Spokesmen described the war then going on between England and France on the one side and Germany on the other (France was forced to withdraw from the war in June of 1940) as a war between imperialist blocs and therefore an unjust war. It stated that the character of the two opposing sides was a matter of indifference to the workers and to Communist parties and that they could not support either side in the war. They stated that this was no longer a war for the defense of democracy or for the prevention of further aggression by Nazi Germany, that it was on both sides a war for the domination and redivision of the world.

6703 By Mr. Lenvin:

Q. Dr. Mosely, I would again like to draw your attention to the editorial which has been marked as Petitioner's Exhibit for identification 179, an issue of Izvestia for October 9, 1939, which contains an article "Peace or War?" and ask you whether in your opinion this article is illustrative of the attitude of the Soviet Union toward war as of that date.

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The Witness: The editorial in Izvestia of October 9, 1939 is a typical and also more detailed statement of the Soviet analysis of the nature of the war which I have tried to summarize as briefly as possible.

By Mr. Lenvin:

Q. I also would like to direct your attention, Dr. Mosely, to the issue of Pravda for November 1, 1939, which has been identified as Petitioner's Exhibit 186, a report
6704 of Chairman Molotov, and ask you whether in your opinion that report reflects the views and attitude of the Soviet Government toward the war then in progress. A. In my opinion it does reflect the basic and public analysis given by the Soviet spokesmen of the nature of the war going on during that period, from September 1, 1939 to June 22, 1941.

Q. Dr. Mosely, in your examination of the publications and other materials issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that Party toward the war in progress in Europe between the date of the signing of the non-aggression pact between Germany and the Soviet Union and June 22, 1941? A. Yes, I have examined the principal pronouncements of the Communist Party of the United States on the nature of the war during that period. The Communist Party through its official publications maintained that this was an imperialist war, an unjust war, that it was nonsense to say that it was a war for the defense of democracy, that both sides involved in it were imperialists, and that no democratic or progressive persons or groups could support either side in the war.

In this position their expressions parallel very closely the analysis given by the Soviet spokesmen and Soviet published announcements.

Q. I show you, Dr. Mosely, what has been identified
6705 as Petitioner's Exhibit 189—

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Q. —an issue of the Sunday Worker for October 1, 1939, and direct your attention to the article "The People Want the Imperialist War to Stop Now," and ask you whether you have ever read that article, written by Earl Browder.

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The Witness: Yes, I have read this article, which is the text of a speech delivered by Mr. Browder on Friday, September 29, 1939, and published in the Sunday Worker on October 1, 1939.

By Mr. Lenvin:

Q. In your opinion, Dr. Mosely, is this illustrative of the veiws and attitude of the Communist Party of the United States toward the war as of that date? A. Yes, in my opinion it is a typical statement of the position taken publicly through its official pronouncements by the Communist Party of the United States at that time.

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6706 Q. Dr. Mosely, again I would like to direct your attention to the article in the Daily Worker of September 19, 1939, which has been identified as Government Exhibit No. 180, which is a statement of the National Committee of the Communist Party, USA, entitled "Keep America Out of the Imperialist War," and ask you whether in your opinion that statement is illustrative of the attitude of the Communist Party of the United States toward the war in progress as of that date. A. Yes, in my opinion it is a typical expression of the public views of the Communist Party in the United States concerning the war then in progress.

Q. I also show you, Dr. Mosely, Petitioner's Exhibit identified as No. 190—

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Q. —which is an issue of The Communist for November 1939, and direct your attention to the article "America and the International Situation," which is a resolution unanimousy adopted October 13, 1939, by the political committee of the Communist Party of the United States of America, and ask you whether you have ever read that report.

6707 A. Yes, I have read this at the time and on several occasions since.

Q. In your opinion, Dr. Mosely, do those resolutions fairly reflect the attitude of the Communist Party of the United States toward the war in progress as of that date? A. In my opinion, they do.

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Dr. Mosely, in your examination of the publications and other materials emanating from the Soviet Union, have you been able to reach any opinion regarding the views and the attitude of the Soviet Union toward the question of the sending of military aid or supplies to either England or France during the period from the signing of the Soviet-German non-aggression pact to June 21 or 22, 1941? A. Yes, I have, on the basis of the official pronouncements of the Soviet Press of that time.

Q. What attitude did the Soviet Union adopt toward that issue? A. The spokesmen of the Soviet regime and the officially controlled Soviet press strongly opposed the
6708 repeal of the United States Neutrality Act, the introduction of "cash-and-carry," the transfer of destroyers, and each step of furnishing material means to Great Britain to continue its part in the war against Germany. It denounced as "warmongers," "imperialists" and "lackies of imperialism," and so forth, all those who advocated extending to Great Britain and earlier to France permission to draw war materials and any other resources from the United States for strengthening its part in the war against Germany.

Q. Dr. Mosely, I show you what has been identified as Petitioner's Exhibit No. 191—

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Q. —which is an issue of Pravda for October 24, 1939, and ask you whether you have ever read this particular article before.

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The Witness: Yes, I read this article in Russian shortly after it was published in Pravda. It is a signed article and analyzes the struggle for and against the Neutrality Act.

By **Mr. Lenvin:**

6709 Q. In your opinion, Dr. Mosely, is this article illustrative of the attitude of the Soviet Union toward the question of the sending of aid to either Great Britain or France as of that date? A. It is a typical expression of the Soviet point of view on this question.

Q. I also show you, Dr. Mosely, an issue of Pravda for October 29, 1939, an article entitled "Removal of Embargo on Export of Arms from the USA," and ask you whether you have ever read that article before.

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The Witness: Yes, I read this article in Russian shortly after it was published in Pravda, and I have read it also in the English translation. It is a typical comment and Soviet analysis at that time on the whole question of the removal of the embargo upon the exportation of arms from the United States to belligerent countries.

By **Mr. Lenvin:**

Q. Then in your opinion, Dr. Mosely, that article reflects the attitude of the Soviet Union toward the question of the sending of material aid to England and France as of that time? A. It does. It is a typical expression of the Soviet analysis and viewpoint as frequently expressed at that time in the official Soviet press.

6710 Q. Dr Mosely, in your examination of the materials and publications issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that Party toward the question of sending aid to either Great Britain or France during the period from the signing of the Hitler-Stalin Pact to June 21, or 22, 1941? A. From the outbreak of war on

September 1, 1939, until June 22, 1941, the official press of the Communist Party of the United States strongly opposed in turn each proposed step for enabling France and Great Britain to draw materials and assistance from the United States in their war against Germany. It opposed the repeal of the Neutrality Act, the introduction of "cash-and-carry," it opposed the destroyer deal, it opposed lend-lease. In its step by step opposition to these proposals, the policy which it advocated parallels directly the policies which were approved by the Soviet Government as expressed through the Soviet press.

Q. Dr. Mosely, I would like to direct your attention to the article which appeared in the Daily Worker for September 19, 1939, by the National Committee of the Communist Party of the United States of America, entitled "Keep America out of the Imperialist War," which has been identified as Petitioner's Exhibit 180, and ask you whether in your opinion that article reflects the attitude of the Communist Party of the United States toward the issue of sending aid
6711 to either England or France as of that time.

Mr. LaFollette: Was M-41 marked for identification? I didn't get the number if it was.

Mr. Lenvin: Not yet, sir.

The Witness: Yes, I have examined this declaration of the National Committee of the Communist Party of the United States. I read it at the time, and I have examined it on several occasions since. In my opinion it should be regarded as an authoritative expression of the views of the Communist Party in the United States on this question and at that time.

By Mr. Lenvin:

Q. I also show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 193—

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Q. —which is the Daily Worker for May 8, 1941, and I specifically direct your attention to this editorial appearing on page 1 entitled "Priming America for the Fatal Plunge," and I ask you whether you have ever read that editorial before.

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THE WITNESS: Yes, I have read this editorial.

6712 By MR. LENVIN:

Q. In your opinion, Dr. Mosely, does that editorial reflect the views and attitude of the Communist Party of the United States toward the issue of the granting of aid to either England or France as of that time? A. Yes, in my opinion it constitutes an official and authorized expression of the policies advocated by the leadership of the Communist Party of the United States at that time.

Q. It is a matter of historical fact, is it not, Dr. Mosely, that Nazi Germany attacked the Soviet Union on either June 21 or June 22, 1941? A. Yes, it is.

Q. After this attack on the Soviet Union what was the attitude of that country toward the war then in progress? A. Through its official pronouncements and through the pronouncements published in its official press, the Government of the Soviet Union now declared that the war bore a changed character, that it was now a just war, a war for the defense of the Soviet Union. It also declared that the war between Great Britain and Germany was now a just war, a war for the defense of the rights of peoples, for the defense of democracy, and the restoration of peace. It now declared that aid by the United States to both Great Britain and the Soviet Union was an act of high political 6713 statesmanship and generosity as well as of self-protection for the United States. It urged the continuation and rapid increase of this aid both to Great Britain and to the Soviet Union.

Q. Dr. Mosely, I show you what has been identified as Petitioner's Exhibit No. 194—

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Q. —excerpts from Volume I, "Foreign Policy of the Soviet Union during the Patriotic War"—

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Q. —which is a radio address of Josef Stalin. I ask you whether you have ever read that report. A. I read this in an unofficial transcription on the following day. I read it as published in the official Soviet Press within a few weeks after it had been published in Moscow, and I have had occasion to consult frequently this report in both Russian and English. This version appears in an official collection of policy statements issued by the Government of the Soviet Union and entitled "Foreign Policy of the Soviet Union During the Patriotic War," Volume I.

Q. In your opinion, Dr. Mosely, does that item reflect the views and attitude of the Soviet Union toward the 6714 character of the war in progress as of that date? A. Yes, it does. It is an authoritative statement by an influential member of the Politburo of the Central Committee of the Communist Party Bolshevik, also chairman of the Council of People's Commissars, and also chairman of the very powerful Committee on Defense. In my opinion it is an authoritative statement of the Soviet analysis of the changed character of the war.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 195.

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Q. An issue of Izvestia for August 17, 1941, an article entitled "The United Front of the Nations Against Hitler is Growing and Waxing Stronger," and ask you whether you have ever read that before. A. Yes, I read this in Russian shortly after it was published in Moscow, and I have also had occasion to consult it several times since then in Russian and in English.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Soviet Union toward the 6715 war then in progress as of that date. A. It does. It again describes the changed character of the war. It describes the war which was being fought by Great Britain as a just war in defense of the people's rights and it praises the cooperation given by the United States and urges even greater contributions by the United States, and it urges the early opening of a Second Front in Europe, on the mainland of Europe. It praises the growing collaboration and cooperation among the powers in the anti-Hitler coalition and urges all democratic and progressive people throughout the world to support this struggle against aggressive fascism.

Q. Dr. Mosely, in your examination of the publications and other materials which have been issued by the Communist Party of the United States have you been able to form any opinion as to what the views and attitude of that party were toward the war after the German attack on the Soviet Union? A. Yes, I have.

Q. What, in your opinion, was the attitude of the Communist Party at that time? A. On the basis of the published announcements and declarations of the Communist Party of the United States following June 22, 1941, my opinion is that the Communist Party now considered that the war had changed its character, that it was now being fought for the defense of democracy and people's rights and 6716 for the destruction of aggression. It praised the struggle being waged by Great Britain, and it urged all-out support by the United States both to Great Britain and the Soviet Union. It now attacked all those groups and persons who opposed such assistance and declared that they were now agents of Hitler.

Q. I show you, Dr. Mosely, Petitioner's Exhibit marked for identification 196—

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Q. —which is the Sunday Worker for July 13, 1941, and specifically direct your attention to Article by Gil Green entitled "The Nazi Aggression Against the Soviet Union and the Changed Character of the World War," and ask you whether you have ever read that article before. A. Yes, I read this article at the time and have had occasion to re-read it since.

Q. In your opinion, Dr. Mosely, does this article fairly reflect the attitude of the Communist Party of the United States toward the war in progress as of that date? A. It is a detailed statement of the changed view of the Communist Party of the United States toward the war following the events of June 22, 1941. It is typical of many such comments, and its arguments and its presentation run
6717 directly parallel to the views expressed in the official Soviet press at that time and on that issue.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 197—

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Q. —The Communist for July 1941, and direct your attention to the statement of the Communist Party, USA, commencing on page 579, entitled "Support the USSR in its fight against Nazi war," and ask you whether you have ever read that statement before. A. Yes, I have read the statement. It was published first on June 22, 1941, a few hours after the invasion of the Soviet territory by the German Nazi armies, and it was republished as a basic statement of the position adopted by the Communist Party of the United States and of the policies which it advocated.

Q In your opinion, Dr. Mosely, does that statement reflect the attitude of the Communist Party of the United States toward the war then in progress as of that date. A. Yes, it does. It urged full support for the Soviet war. It attacked all those who would hesitate or doubt any matter of providing aid to the Soviet Union.

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6719 Q. Dr. Mosely, you have already testified that prior to the attack on the Soviet Union by the Nazi Government, both the Soviet Union and the Communist Party of the United States opposed any material aid to England

and France. My question is, did that same opposition continue after the German attack on the Soviet Union. A. No, that opposition ceased. The Soviet press now praised American aid to both Great Britain and the Soviet Union, and urged its very rapid increase. The official press of
6720 the Communist Party of the United States similarly
now urged all-out aid and attacked bitterly all persons and groups who wished to limit or not to support such aid.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 198 for identification—

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Q. Which is an issue of Pravda for August 16, 1941—and which you have marked as M-46, Mr. Chairman.

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Q. I ask you whether you have ever read this before. A. Yes, I read a telegraph summary of this on the following day after it was issued in Moscow. I read the full text in the Russian language a few weeks afterwards, and I have also examined it in Russian and English more recently. It is an official statement of the point of view of the
6721 Soviet Government and of the All Union Communist
Party concerning the relations among the Allies, Great Britain and the Soviet Union, and between them and the United States.

Q. I would also like to direct your attention, Dr. Mosely, to the issue of Izvestia of August 17, 1941, an article which is entitled "The United Front of the Nations Against Hitler is Growing and Waxing Stronger," which was previously marked as Petitioner's Exhibit for identification No. 195, and ask you whether in your opinion that article reflects the changed attitude of the Soviet Union toward both the United States and Great Britain in connection with their collaboration in the conduct of the war. Would you like to see that one again? A. I would like to see that one, too, to be certain of my identification.

(Document handed to the witness.)

Yes, I have read that at the time and since this editorial in Izvestia of August 17, 1941. It, like the preceding document, praises the growing cooperation among the allies, including both those that were actively engaged in hostilities against Germany and those who were not, which was the case of the United States at that time. It praises the common war efforts and assures its readers of the community of aims in defense of peace and democracy as pursued by the Soviet Union, Great Britain and the United States.

6722 Q. Dr. Mosely, in your examination of the publications and other material issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that Party regarding the question of the granting of aid to the Western Allies after the German attack on the Soviet Union? A. Yes, I have.

Q. What was that attitude? A. After the German Nazi attack upon the Soviet Union in June 1941 the official pronouncements and the official press of the Communist Party of the United States were entirely in favor of all-out support to the war effort both of Great Britain and the Soviet Union, and it urged to American people the urgency of giving full aid and support to the struggle of Britain and the Soviet Union against Germany.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 199—

(The document referred to was marked for identification Petitioner's Exhibit No. 199.)

By Mr. Lenvin:

Q. —which is The Communist for August 1941, and specifically direct your attention to the Manifesto of the National Committee, Communist Party, United States of America, adopted at its plenary meeting June 28-29, 1941, entitled "The People's Program of Struggle for the
6723 Defeat of Hitler and Hitlerism!" and ask you

whether you have ever read that manifesto before. A. Yes, I read this manifesto shortly after it was issued and also on other occasions more recently. It is an official pronouncement of the National Committee of the Communist Party of the United States, urging all-out American support to the Soviet Union and also to Great Britain, and attacking as agents and supporters of Hitler all persons and groups who opposed the fuller contribution of the United States to this side in the struggle.

Q. Dr. Mosely, again I would like to direct your attention to what has been marked as Petitioner's Exhibit No. 196, which is the article appearing in the Sunday Worker for July 13, 1941, entitled "The Nazi Aggression Against the Soviet Union and Changed Character of the World War," by Gil Green, and ask you whether in your opinion that article reflects the views and attitude of the Communist Party of the United States towards the issue we have just been discussing. A. This article, which I have read on several occasions, is a clear and detailed statement from the point of view of the Communist Party of the United States of the changed character of the war, of the just struggle being waged by the Soviet Union and Great Britain as well
as by the liberation groups and resistance groups, and
6724 it demands all-out support by the United States in
the struggle. In its line of reasoning it is, like the preceding three exhibits, directly parallel with the analysis and viewpoint expressed by the official press of the Soviet Union.

Q. Dr. Mosely, after the attack on the Soviet Union by Germany did the Soviet Union as far as you know propose any specific military expedition to the British Government? A. Yes. It is a matter of historic and documentary record that the Soviet Government now urged the British Government to prepare and carry out as soon as possible the landing of a large expeditionary force on the mainland of Europe in order to open a second front on the mainland of Continental Europe.

Q. Now I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 200—

(The document referred to was marked for identification Petitioner's Exhibit No. 200.)

By Mr. Lenvin:

Q. —an excerpt from "The Second World War," specifically the volume entitled "The Grand Alliance," by Winston S. Churchill, and specifically direct your attention to the excerpt which contains a translation of a letter from Josef Stalin to the Prime Minister of England, Mr. Churchill, dated the 18th of July 1941, and ask you whether
6725 you have ever read that before. A. Yes, I have read these pages in volume 3, of the Second World War, by Winston S. Churchill. This purports to be an English translation of the message communicated by Mr. Stalin to Mr. Churchill, then Prime Minister. As Mr. Churchill was the recipient and also replied to this letter and is the author of the volume in which it appears as a document, I should feel obliged as a scholar to accept it as documentary evidence.

Q. In your opinion, Dr. Mosely, does that letter reflect the attitude of the Soviet Union toward the question of the opening of a second front as of that time? A. Yes, it does. It states forcefully the reasons why the Soviet Government strongly desired to have a second front immediately. It entered into the factors which in its opinion made it possible for Great Britain to establish a second front immediately, and it implied that this front could be established at once.

Q. I also show you, Dr. Mosely, a copy of the New York Times for Friday, February 27, 1942, which contains the text of Ambassador Litvinov's address before the Overseas Press Club at the Waldorf Hotel, and ask you whether you have ever read that address before.

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6726 The Witness: Yes, I read the text of this address at the time and since.

By Mr. Lenvin:

Q. In your opinion, Dr. Mosely, does that address reflect the attitude and views of the Soviet Government toward the issue of the opening of the second front as of that date? A. Yes, it does. It states fully the reasons why the Soviet Government considered the second front urgent and stated the factors which in the opinion of the Soviet Government made it possible to open the second front at that time and without delay.

Q. Dr. Mosely, in your examination of the publications and other materials issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of the Communist Party toward the question of the opening of a second front at that time? A. Yes, I have. This problem was commented upon continually by the official press of the Communist Party of the United States. The spokesmen of the Communist Party maintained that a second front must be opened immediately and
6727 that it could be opened without delay. The spokesmen discussed and brushed aside all reasoning based upon the lack of such preparation in trained manpower and equipment and shipping, as well as in the accumulation of airpower, and frequently maintained that delay in establishing a second front, which it considered was urgently needed in the interest of the defense of the Soviet Union, was due to ill will or to persons influenced by German fascism. Its reasoning on this problem followed in general the point of view advanced by official spokesmen and the official press of the Soviet Union.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 202, which is M-50(a), which is an issue of The Communist for April 1942 and specifically direct your attention to an article by Eugene Dennis, commencing on page 199, entitled "For a Second Front in Europe! To the Offensive Against Hitler!" and ask you whether you have ever read that article before.

(The document referred to was marked for identification Petitioner's Exhibit No. 202.)

THE WITNESS: Yes, I have read this article by Mr. Dennis both at the time and more recently. It develops more fully than I have tried to do in my very brief summary, the reasons why the second front was urgently demanded in the view of the Communist Party of the United States and the factors which in its opinion were responsible for the delay.

6728 By MR. LENVIN:

Q. In your opinion, Dr. Mosely, does that article fairly reflect the view and attitude of the Communist Party toward the question of the opening of a second front as of that date? A. Yes, it does. In my opinion it is a typical expression of the views officially presented by the Communist Party of the United States on that issue at that time, and an exposition of the policies advocated by it.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 203—

(The document referred to was marked for identification Petitioner's Exhibit 203.)

By MR. LENVIN:

Q. —which is an issue of The Communist for May 1942, and direct your attention to the Manifesto of the National Committee of the Communist Party, USA, entitled "Attack Hitler Now, Open a Western Front in Europe," and ask you whether you ever read that article before. A. Yes, I have read the manifesto referred to. I read it at the time and since.

Q. In your opinion, does that manifesto reflect the views and attitude of the Communist Party as of that date on the question of the opening of a second front in Europe? A. Yes, it is a typical and detailed expression of the 6729 views and policies advocated by the Communist Party of the United States on that issue and at that time.

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Q. Dr. Mosely, it is a historical fact, is it not, that the Communist International was dissolved in May of 1943? A. Yes, it is. The dissolution of the Communist International, which was founded in March 1919 in Moscow, was announced in Moscow in May 1943.

Q. Now I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 204, which is M-55—

(The document referred to was marked for identification Petitioner's Exhibit No. 204.)

By Mr. Lenvin:

Q. —"Foreign policy of the Soviet Union during the Patriotic War," J. Stalin, which contains the reply of Comrade Stalin to a question asked by the chief correspondent of the British Agency Reuters, and ask you whether you have ever read this before. A. Yes, I read it at the time as transmitted by the press and also read it in the Soviet newspapers of the time. I have re-read it in the collection of documents and pronouncements on the "Foreign Policy of the Soviet Union during the Patriotic War," volume I.

6730 Q. In your opinion, Dr. Mosely, does this item reflect the attitude of the Soviet Union toward the dissolution of the Comintern? A. Yes, it does, in my opinion. Marshal Stalin was then the chairman of the Council of People's Commissars of the USSR and a leading member of the Politburo of the Central Committee of the Communist Party Bolshevik. Hence, in my opinion, it is a highly authoritative statement of the point of view of the Soviet leadership on this problem. In this statement Marshall Stalin explained why he considered that this step would promote victory over the common enemy, why it would promote greater unity among the freedom loving nations, and therefore why it was a useful and necessary step.

Q. Dr. Mosely, in your examination of the publications and other materials issued by the Communist Party of the United States, have you been able to form any opinion as to what the views and attitude of that party were toward the dissolution of the Communist International in May of 1943? A. Yes, I have. Through its official pronouncements the Communist Party of the United States expressed its full concurrence and approval in the abolition of the Communist International and stated that this form of organization was no longer useful or expedient in the new stage of the struggle for democracy and socialism, and it stated that of
course cooperation among the workers and workers'
6731 parties, meaning of course the Communist parties,
in their terminology, would continue and would take on new forms.

Q. Dr. Mosely, I show you what has been marked for identification as Petitioner's Exhibit No. 205—

(The document referred to was marked for identification Petitioner's Exhibit No. 205.)

By Mr. Lenvin:

Q. —which is the Daily Worker for May 26, 1943, and direct your attention, first, to the series of articles by James S. Allen, entitled "The Comintern Decision: Historic Step Long Maturing," and ask you whether you have ever read that article before. A. Yes, I read this article at the time and have reread it more recently. It is a detailed statement of the point of view which I have tried to outline as briefly as possible. It follows the same line of reasoning as that set forth in the manifesto of the executive committee of the now dissolved Communist International and in general it follows the line of reasoning as set forth in the interview of Marshal Stalin with the foreign correspondent.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit 206 for identification, which is the Daily Worker for Monday, May 31, 1943, and direct your attention to the article by James S. Allen, entitled "Comin-

tern Decision Marks New Period of Working Class
6732 Activity," and ask you whether you have ever read
that article before.

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THE WITNESS: Yes, I read this article at the time it appeared and also more recently.

By MR. LENVIN:

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Communist Party of the United States toward the dissolution of the Communist International? A. Yes, in my opinion it does. It is a typical expression of the interpretation given to that event by the Communist Party of the United States through its official pronouncements.

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Q. I now show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 207—

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Q. —The Communist for July 1943, and direct your attention to the resolution on the dissolution of the Communist International, part of the resolutions and statements of the National Committee plenum.

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6733 Q. I ask whether you have ever read this resolution before. A. Yes, I have read this resolution at the time and since.

Q. In your opinion, Dr. Mosely, does that resolution fairly reflect the attitude of the Communist Party of the United States towards the dissolution of the Communist International as of that date? A. Yes, in my opinion this should be regarded as an official and authoritative statement of the viewpoint and policy of the Communist Party of the United States on this issue at that time, and it is parallel with the resolution adopted in May 1943 by the Executive Committee

of the Communist International and also with the interview given by Marshal Stalin to a foreign correspondent in May 1943, and Marshal Stalin was of course a member of the Executive Committee of the Communist International
6734 prior to its dissolution.

Q. Dr. Mosely, it is a historical fact, is it not, that the Communist Party itself was dissolved in May of 1944 and the Communist Political Association established? A. Yes, I read of that in the press at the time.

Q. Have you ever, as a result of the research and study that you have made, been able to arrive at an opinion as to the reasons for the dissolution of the Communist Party and the substitution therefor of the Communist Political Association?

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6735 Q. It is a historical fact, is it not, Dr. Mosely, that the Communist Party of the United States was reconstituted in July of 1945? A. Yes, according to the official pronouncements of the press, first of the Communist Political Association and then of the reconstituted Communist Party of the United States, this was the case. It was reconstituted in July 1945.

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6743 Q. Dr. Mosely, can you identify Jacques Duclos? A. Yes, on the basis of his writings and facts published concerning his career in the Communist press of France, particularly France, he has been a leading member of the French Communist Party for many years, was a member—

Mr. LaFollette: For how many years, if you can recall?

The Witness: My recollection, without consulting anything, is since 1934, but that may not be right.

Mr. LaFollette: That is more helpful to me than many years. Some people's idea of him is five, some people's idea is 15.

The Witness: The reason I think it was in 1934 is that my recollection is that he was back and forth between Moscow and Paris quite a bit in the preceding six years, but I couldn't on the spur of the moment identify the exact dates.

He was a member of the Executive Committee of the Communist International, dissolved in 1943. Since
6744 1947 he has attended a number of meetings and conferences held by the Communist Information Bureau as the authorized spokesman of the French Communist Party. He is frequently described in the French Communist Press as a leading theorist of Marxism-Leninism.

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6745 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 208—

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Q. —which is an issue of Political Affairs for July 1945—

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Q. —and direct your attention to an article mentioned on page 656 entitled "On the Dissolution of the Communist Party of the United States," by Jacques Duclos, and ask you whether you have ever read that article before. A. Yes, I read this article in French, in the French Commu-
6746 nist organ, and I have re-read it more recently in this English translation which appeared in Political Affairs for July 1945. In this article Monsieur Duclos states the reasons—

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Q. Will you continue, Dr. Mosely? A. Monsieur Duclos comments on both national and international reasons why, from the point of view of a French Communist, it was a mistake to dissolve the Communist Party of the United States and was necessary to reconstitute the Party. I should prefer to concentrate on the international aspects of his reason for the sake of brevity. Monsieur Duclos states that the United States political and economic system

remains under the control of what he calls capitalists, plutocrats, reactionaries, that therefore its foreign policy aims will be guided by that dominant power, as he describes it, and therefore it is essential for the United States to have a Communist Party which could undertake from the point of view of Marxist-Leninist criticism of events and policies of other parties to defend the basic principles of Marxism and Leninism. He also states that during the period
6747 of the Communist Political Association in the United States, this association exaggerated the durability and long-range value of the Teheran and other common declarations issued by the three governments, the United States, Great Britain, and the Soviet Union, and that it was dangerous to assume that such cooperation would continue after the war, that it was necessary for a well organized and carefully identified Communist Party to defend the interests of true peace and true democracy in the United States and not to rely upon any alleged change in the character of the government and society of the United States.

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6748 Q. Dr. Mosely, do you have any knowledge of the extent to which this Duclos article was publicized?

Mr. LaFollette: Where? In the United States?

Mr. Lenvin: All over the world.

6749 Mr. LaFollette: Do you include "all over the world" in your question?

Mr. Lenvin: Yes.

The Witness: It was issued through the official theoretical organ of the French Communist Party in April 1945.

Mr. LaFollette: What is the name of that article?

The Witness: Cahiers du Communisme. It was reissued in English translation in the American organ, The Communist, of July 1945.

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6756 Q. Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification No. 209—

(The document referred to was marked for identification Petitioner's Exhibit No. 209)

By Mr. Lenvin:

Q. —which is an issue of Political Affairs for September 1945, and specifically direct your attention to the article commencing on page 800, entitled "The Reconstitution of the Communist Party," by John Williamson, and ask you
whether you have ever read that article before. A.
6757 Yes, I have. I read it at the time and more recently.

Q. In your opinion, Dr. Mosely, does that article indicate the view of the Communist Party of the United States regarding the dissolution of the Communist Party and its reconstitution following the Duclos article? A. It does. In my opinion it parallels very closely the criticisms and suggestions contained in the Duclos article—

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Q. Dr. Mosely, I also show you what has been marked as Petitioner's Exhibit for identification No. 210 which is an issue of Political Affairs for September 1945 and specifically direct your attention to the resolution of the National Convention of the Communist Party, USA, adopted July 28,
1945, entitled "Present Situation and the Next
6758 Tasks," and ask you if you have ever read those
resolutions before. A. Yes, I read them at the time
and I have read them more recently.

Q. In your opinion do these resolutions reflect the views and attitude of the Communist Party toward the dissolution of the Communist Party and its reconstitution as stated in the Duclos article. A. Yes, in my opinion it does. It lists the next tasks to be pursued by the Communist Party of the United States, and it recognizes the criticisms in lines exactly parallel to those laid down in the Duclos criticism. It calls for the strengthening of the foreign policy pursued by the Soviet Government. It calls for prevention of the victory of Fascism in the United States. It attacks many aspects of the policy of the United States along the same lines which were already beginning to appear in the summer of 1945 in the official Soviet press.

Q. Dr. Mosely, what in your opinion is the significance of the Duclos article?

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6759 The Witness: In my opinion the Duclos article represented an authoritative criticism and series of suggestions or recommendations made by an outstanding—

Mr. Abt: I didn't get the word. Series of suggestions and what?

The Witness: And recommendations of action which were made by an outstanding leader of the international Communist movement, by a man who had served frequently as the spokesman of his own party in the French Chamber and in French public life and in his published writings, and who prior to 1943 and after 1947 appeared regularly as a spokesman for the international organization of the Communist Parties.

Mr. LaFollette: Which international?

6760 The Witness: Prior to 1943 Monsieur Duclos was a member of the Executive Committee of the Communist International. After 1947 he frequently represented the French Communist Party at the conferences of the Cominform or Information Bureau of the Communist parties.

Mr. LaFollette: What position did he hold in any of the international organizations of the Communist Party, if any, at the time the question arose of the American Communist Party?

The Witness: At that time, sir, there was no public organization uniting the various Communist Parties. However, a few weeks before the article was published by Monsieur Duclos he returned to Paris from Moscow.

Mr. Abt: Object, Mr. Chairman, and move to strike the answer as not responsive to the question, and it has no probative value whatsoever.

Mr. Lenvin: The witness testified—

Mr. LaFollette: I think it might have some probative value. How do you arrive at your information concerning the last fact you stated?

The Witness: From the French Communist newspaper, Humanité, of that time, March 1945.

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6761 Q. Dr. Mosely, in view of your last answer do you know of any other instance where an article or statement by Duclos indicated or revealed or announced a change of policy or attitude in either the attitude of the Soviet Union or the Communist Party of the Soviet Union or the International Communist movement.

Mr. Abt: I object, Mr. Chairman.

Mr. LaFollette: He is only asking now if he knows of any other instance. Overruled. Just answer whether you know of any other instance.

The Witness: I recall clearly two other instances in which Monsieur Duclos gave the basic line.

By Mr. Lenvin:

Q. Will you state those two instances that you recall?

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The Witness: One instance occurred at the beginning of September 1939, when there was a speech by Monsieur Duclos which sets the pattern of the resistance of the French Communist Party to French participation in the war against Germany, stating that this war was against the interests of the working class in France and that it represented a conspiracy of the so-called ruling groups in France with
6762 Germany. As a result of this line, the French Communist Party was outlawed and Monsieur Duclos disappeared from the public scene, and later re-emerged in Moscow.

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6764 Go ahead. You said there were two. What was the other instance, please?

The Witness: The second instance which I recall immediately and in detail, is that Monsieur Duclos inaugurated a very strong campaign of the French Communist Party against the Marshall Plan by his major speech at a large public gathering in Paris in August 1947.

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By Mr. LaFollette:

I ask you, Doctor, as a result of your reading and study and pursuing this subject of Russian foreign policy, whether or not there was an announced Russian foreign policy on the Marshall Plan? If your answer is yes, when it was announced?

The Witness: Yes, sir.

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When was it announced?

The Witness: A firm Russian position on the Marshall Plan was taken on July 4, 1947, roughly one month before the Duclos speech which marked the inauguration of a major campaign to disrupt the arrival, distribution and use of Marshall Plan aid in France.

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6766 Q. Dr. Mosely, can you tell us briefly what was the Montreux Convention, please?

Mr. Abt: I object.

6767 Mr. Lenvin: Just background, Mr. Chairman. We can't clearly understand the issue involved as stated in paragraph (m) unless we have some historical background material. I don't mind if you want to eliminate it all, if the Panel feels they don't need this historical background for a full understanding of the issues.

Mr. LaFollette: I think we know something about it, but I don't see how it would do any harm. Briefly, Doctor.

The Witness: The Montreux Convention of the year 1936 regulated the passage of the Turkish Straits and the passage of the air space over the Turkish Straits. It returned this area and the territorial waters and the air space over them to full Turkish sovereignty, including the right to fortify them and to hold military exercises in them. This convention was signed by the Soviet Government, which had taken a detailed part in its negotiation. It is still in force.

By Mr. Lenvin:

Q. Did there come a time when the Soviet Government made some proposal to revise this convention? A. There did, yes. Beginning in 1939, the Soviet Government proposed to the Turkish Government that they should disregard the Montreux Convention and that joint Soviet-
6768 Turkish bases should be established, both Naval and air bases, in the vicinity of the Straits.

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Q. Dr. Mosely, in 1946 what in your opinion was the position of the Soviet Union regarding the Montreux
6769 Convention in 1936?

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The Witness: In 1946, by a series of notes addressed by it to the Turkish Government and published by the Soviet Government, the Soviet Government demanded the establishment of joint Soviet-Turkish bases in and near the Turkish Straits and joint control over the waters of the Straits and the air space above them. It also demanded at this time through its published statements a change in the Turkish Government, declaring the existing government unfriendly because it rejected these Soviet demands.

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Q. Dr. Mosely, I show you what has been identified as Petitioner's Exhibit for identification No. 211—

(The document referred to was marked for identification Petitioner's Exhibit No. 211)

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Q. —which is an issue of Izvestia for August 24, 1946, and specifically direct your attention to page 4, article entitled "From the History of the Question of the Black Sea Straits," and ask you whether you have ever read that article before. A. Yes, I have. I read it at the time and reread it in the English translation.

6770 Q. In your opinion, Dr. Mosely, does this article reflect the views and attitude of the Soviet Union toward the Montreux Convention of 1936? A. Yes. It summarizes the Soviet arguments for revising the Montreux Convention, destroying the rights of other signatories besides Turkey.

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6772 Mr. LaFollette: You may elaborate your answer on this document marked for identification Exhibit 211.

The Witness: The article in question states that the Soviet proposals for a new regime for the Turkish Straits are just and well founded. It attacks all opponents of those proposals as imperialists.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 212—

(The document referred to was marked for identification Petitioner's Exhibit No. 212)

By Mr. Lenvin:

Q. —which is an issue of the Daily Worker for Monday, August 26, 1946, and direct your attention to an article entitled "Our Dardanelles Policy," by James S. Allen, and ask you whether you have ever read that article before. A. Yes, I have read it.

Q. In your opinion, Dr. Mosely, does that article fairly reflect the views and attitude of the Communist Party of the United States toward the Montreux Convention of 1936? A. Yes, in my opinion it does. It is a signed article by a regular contributor to the Daily Worker. It supports fully the Soviet proposals concerning the Turkish Straits and makes many accusations against all those who objected to or criticized those proposals. Its reasoning is directly parallel to that of the Soviet official press at the same time on this question. 6773

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Q. Merely as background, Dr. Mosely, will you describe briefly the internal political situation in that area of Europe generally known as the Balkans, and specifically the countries of Roumania, Bulgaria, Hungary, and Yugoslavia?

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6774 The Witness: In the case of Hungary, Roumania and Bulgaria, these three countries were under armistices concluded with their new regimes by the three major allies, the Soviet Union, Great Britain and the United States, and at the Yalta Conference in February 1945 the three major powers agreed upon a statement of policy toward these three countries. They agreed to promote the development of the basic freedoms—

Mr. Abt: Just a moment, Mr. Chairman.

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6780 Mr. Paisley: We will avoid questions on background from now on.

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Mr. Lenvin: My next question will be directed to
6783 the Panel and inquire whether the Panel will take
judicial notice of the fact that in Balkan countries,
Roumania, Hungary, Bulgaria, and Poland, there were
coalition governments established which included a Communist Party.

6784 Mr. LaFollette: Yes, immediately following the end of World War II.

By Mr. Lenvin:

Q. Dr. Mosely, in your examination of the publications and other materials emanating from the Soviet Union, have you been able to form any opinion as to the views and attitude of the Soviet Union toward the Communist Parties of the Balkan countries in the period, let's say, from about 1945 to 1947. A. During this period from 1945 to roughly the middle of 1947, the official Soviet press praised the coalition governments in these east European and Balkan—

Mr. Abt: I understood the question to be the attitude of the Soviet Union toward the Communist Parties in these countries.

Mr. Lenvin: Let him finish his answer. He said they were praising the coalition governments. Give the man a chance to finish.

Mr. LaFollette: Go ahead.

The Witness: It praised the coalition governments and the role of the Communist Parties within them and asserted that this system of cooperation between Communist and non-Communist governments formed the basis of the so-called people's democracy which was presented as a very important step in the political progress of these countries. The Soviet official press assumed that this status would continue. In other words, the coalition government 6785 was a desirable and useful and progressive step.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 213 for identification—

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Q. —which is an issue of Izvestia—

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Q. —which is an issue of Izvestia for September 20, 1945, and direct your attention to page 4 which contains a reprint of Comrade V. M. Molotov's speech at the press conference at the Soviet Embassy in London, and ask you whether you have ever read that before. A. Yes, I have. I read it on the same day in London, and I have referred to it frequently since.

Q. In your opinion, Dr. Mosely, does that speech reflect the views and attitude of the Communist Party toward the Balkan countries we have been discussing as of that date? A. Yes, it does. As the Commissar of Foreign Affairs and member of the Politburo of the Central Committee of the Communist Party Bolshevik, Mr. Molotov spoke authoritatively, and in his opinion the situation and the

6786 political development in Roumania, Bulgaria and Hungary was entirely satisfactory, and he rejected out of hand all criticisms which had been made concerning the alleged failures of these three governments in the area under Soviet military control to carry out the conditions which had been agreed upon at Yalta among the big three powers.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 214—

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Q. —which is an issue of Pravda for October 22, 1947, and an article by A. Zhdanov.

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Q. Entitled "The International Situation," which is a report made to the informational conference of representatives of a number of Communist parties held in Poland at the close of September 1947, and ask you whether you have ever read that before. A. Yes, I read this in an excerpt on the following day, and I read it in full in Russian about a week later and I have frequently used it in full as reference in my research work. I have reread it recently both in Russian and in English. 6787

Q. In your opinion, Dr. Mosely, does that report by Zhdanov reflect the views and attitude of the Soviet Union toward the Governments of the Balkan countries that we have been discussing? A. In my opinion it does. Zhdanov was then a member of the Politburo of the Communist Party of the Soviet Union. He was also the principal Soviet representative at the organizing conference of the Information Bureau of several Communist Parties held at an unnamed place in Poland in the second half of September 1947. His statement was reprinted in many languages roughly one month after it was held and has been frequently republished since and referred to as a basic statement of the Soviet position on international policy at that time.

Mr. LaFollette: Referred to by whom, the Soviet Government?

The Witness: By the Soviet Government. It has been made available in many editions, both in pamphlet form and republished in editions of several hundred thousand copies at a time.

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Q. Dr. Mosely, in your examination of the publications and other materials issued by the Communist Party 6788 of the United States, have you been able to form any opinion as to the views and attitude of that Party toward those Balkan countries which we have been discussing in the period from about 1945 to about 1947?

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The Witness: Yes, I have. In the official publications of the Communist Party of the United States the point of view taken throughout this time was a strong defense of the people's democracies, so-called people's democracies as they were developing, a strong defense of Soviet policy in this part of Europe, and praise for the role of the Communist Parties in the so-called people's democracies. At the same time the official publications of the Communist Party of the United States accused the United States and Great Britain of striving to destroy democracy in these countries and to extend their so-called imperialist control over them. In its expressions of published views the Communist Party of the United States used the terms and followed lines of reasoning directly parallel with that of the official Soviet press and the official Soviet spokesmen.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 215 for identification.

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6789 Q. Which is an issue of Political Affairs for November 1945, and direct your attention to an article by Eugene Dennis, entitled "The London Conference," and ask you whether you have ever read that article before.

A. Yes. I read it at the time and reread it more recently. It is a statement of full praise for the development and events in the so-called people's democracies, of praise for the Soviet policy and of condemnation for the allegedly imperialist policy of the United States in relation to these countries.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 216 for identification—

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Q. —which is our M-67, an issue of Political Affairs for June 1947 and direct your attention to an article entitled "The National Question in Europe," by William Z. Foster, and ask you whether you have ever read that article before. A. Yes, I have read this article by Mr. Foster.

Q. In your opinion, does that article reflect the views and
attitude of the Communist Party toward the Balkan
6790 countries of that date? A. Yes, it does. It is a full
statement of approval for the policies followed by
the Governments in the so-called people's democracy and for the leading role of the USSR in guiding the postwar development of those countries. It also attacks the policies advocated by the United States Government in relation to these countries along lines directly parallel with the views published by the Soviet Press and presented by Soviet official spokesmen.

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6791 Q. It is a historical fact, is it not, Dr. Mosely, that the Communist Party, which was a part of the coalition governments of certain Balkan countries, such as Hungary, Roumania, Albania, and Bulgaria, gained complete control of those governments?

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6792 The Witness: Since the process of establishing complete control by the Communist Parties in each country occurred by stages, it may be necessary to mention several dates.

Mr. LaFollette: You may elaborate.

The Witness: Thank you.

In the case of Hungary the major change occurred in the last week of May 1947, when the Communist Party and those ministries which it controlled, including the Ministry of Interior, controlling the police, destroyed effectively the party organizations of the other parties which had been members of the coalition government.

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6793 The Witness: It is true that a number of persons belonging to other parties aside from the Communist Party continued to hold certain positions until May 1949 in Hungary, but from that time on there was no longer any prominent non-Communist in the government, and even before that time no non-Communist party had been allowed to organize and to carry on what would be regarded as a normal democratic political activity.

In the case of Roumania major changes toward completion of Communist control came in August and September 1947, when the principal non-Communist members of the government were removed and in the following months the Communist Party completed the establishment of its complete domination over the government.

In the case of Bulgaria a turning point also occurred in May 1947 when the non-Communist parties were forced to disband themselves, and while a few individuals were continued in government positions for some months,
6794 their parties had already been destroyed. By the
end of 1948 the complete monopoly of control by the Communist Party in Bulgaria had been established.

Mr. LaFollette: Is there any other?

Mr. Lenvin: No, I think that satisfies us.

Mr. LaFollette: I didn't know whether you included Albania in your question.

Mr. Lenvin: Yes, I think I did include Albania.

Mr. LaFollette: I don't believe you answered that part of the question, Doctor.

THE WITNESS: The situation in Albania at the close of the war was that the so-called people's front, which was dominated by the Communist Party in Albania, had come into power and that since that time, from that time in January 1946 to be exact, non-Communist parties were prevented from carrying on their activities. Thus the name of a people's front was maintained, but an actual monopoly of political activity and the exercise of political power was established as early as January 1946 in Albania and, with various disputes and purges within the Communist Party, has continued in control since then.

BY MR. LENVIN:

Q. Dr. Mosely, from your examination of the publications and other materials emanating from the Soviet Union, have you been able to form any opinion as to the views and attitude of the Soviet Government toward the
6795 governments of these Balkan countries that I have just
mentioned after the Communist Party in those countries gained complete control of the respective governments? A. Yes, I have. The Soviet press and Soviet official spokesmen have commented frequently on these developments. They have given their full approval to each step by which complete Communist control was established. They have rejected vehemently all objections made from outside, and they have also changed their interpretation of the nature of the so-called People's Democracy. And beginning in 1948 it was declared that the coalition governments of the first two years after the war had been merely an expedient and a transitional form and that the real purpose of the Communist Parties during that time had been to increase their power at the expense of the other parties which had been members of the same coalitions. The theory that the so-called People's Democracy represented a different type of socialism was now rejected. It was stated it was simply a variation of tactics leading toward the establishment of the so-called dictatorship of the proletariat. In other words, after having maintained for some two

and a half years that the so-called People's Democracy represented a different, in other words a non-Soviet, path of development, it was now declared this was not the case and that this was simply another way of leading up to 6796 the establishment of a so-called dictatorship of the proletariat. Since any proletarian, so-called proletarian, who does not loyally support the Communist party is considered simply a stooge of capitalism, the connection between Communist Party control and dictatorship of the Proletariat has traditionally been very close.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 217—

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Q. —which is an issue of Pravda for March 11, 1950, and contains a speech by Comrade V. M. Molotov—

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Q. —at the meeting of the voters of the Molotov election district of the city of Moscow, delivered March 10, 1950. I ask you whether you have ever read that speech before. A. Yes, I have read the speech in full in Pravda in Russian, and I have also read this extensive excerpt presented in the English translation in this document. Mr. Molotov at the time was a member of the politburo of the Central Committee of the Communist Party, and this is considered an authoritative statement of the official Soviet position.

6797 Q. Dr. Mosely, from your examination of the publications and other materials issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitudes of that party toward the Balkan countries we have been discussing from approximately the middle of 1947 on? A. Yes, I have. The official spokesmen of the Communist Party of the United States and its authoritative publications have commented frequently on each development of events, each major development of events in the so-called People's Democracies in Eastern Europe.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 218, M-69—

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Q. —which is an issue of Political Affairs for March 1948 and direct your attention to a report commencing on page 195, which is a report on the international situation delivered at the meeting of the National Committee of the Communist Party, United States of America, held February 3 to 5, 1948, and entitled "World Democracy's Struggle Against American Imperialism," by William Z. Foster, and ask you whether you have ever read that before. A. Yes, I have read this article by Mr. Foster, both at the 6798 time and since. It is a full justification of the various steps taken in the so-called People's Democracies. It approves the Soviet policy of supporting that course of development. It attacks the policy of the United States in relation to those countries. In all these attitudes it parallels directly the position taken in the official Soviet press of that time.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 219—

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Q. —which is an article in Political Affairs for June 1950, and direct your attention to an article commencing on page 14, entitled "People's Front and People's Democracy," by William Z. Foster, and ask you whether you have ever read that article before. A. Yes, I have read this article of Mr. Foster.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitudes of the Communist Party toward those Balkan countries which we have been discussing as of that date? A. Yes, in my opinion it is an authoritative presentation of the point of view of the leader of the Communist Party of the United States. It approves each named step in the political development of the so-called 6799 People's Democracies. It praises the decisive role, as he describes it, of the Soviet armies and of Soviet power in promoting this course of development. It renounces as mistaken the approval which Mr. Foster states was given in 1946 and 1947 to the theory that the People's Democracies represented a new path of development toward socialism and states that this should have been regarded simply as a variation in tactics in striving for the same goal of the dictatorship of the proletariat. He also attacks as imperialism, each step as described by him, taken by the United States Government in trying to influence the course of developments in that part of Europe.

His presentation is directly parallel to the official presentation of this problem by the Soviet press.

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6801 Q. Dr. Mosely, it is agreed that the Panel will take judicial notice that in the immediate postwar period there was a coalition government existing in Czechoslovakia, of which the Communist Party of Czechoslovakia was a part. Will you tell the Panel for how long that coalition government continued? A. The coalition government continued from October 1944 until the second half of February 1948.

Q. And what happened after that date?

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The Witness: In February 1948 during a cabinet crisis the Communist Party, which maintained control of the police through control of the Ministry of Interior, and which maintained control of the state radio through the Ministry of Information, took over control in the country. In doing so it also called upon the support of a large number of action committees organized in advance.

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The Witness: After the new government was formed, the other parties either were dissolved, or dissolved themselves, by the end of April 1948 and from that time the only legal party was the Communist Party of Czecho-
6802 slovakia. Some individuals who had formerly be-

longed to other parties continued for a time in office. Some of them were admitted to membership in the Communist Party. But all organized parties aside from the Communist Party were dissolved and by new laws forbidden to reorganize.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 220—

(The document referred to was marked for identification Petitioner's Exhibit No. 220.)

By Mr. Lenvin:

Q. —which is an issue of a publication known as "For a Lasting Peace, for a People's Democracy," published by the Communist Information Bureau, the issue being that of March 1, 1948, and direct your attention to an article entitled "Victory of the People of Czechoslovakia," and ask you whether you have ever read that article before. A. Yes, I read this article at the time and have reread it recently.

Q. In your opinion, does that article fairly reflect the view of the Communist Information Bureau toward the internal political situation existing in Czechoslovakia as of that date? A. Yes, in my opinion it does, since it is published in the official organ of the Information Bureau
6803 of the Communist Parties, at that time published in Belgrade under the responsible editorship of Mr. Yudin, who had been for 25 years a recognized spokesman of the Communist Party in the Soviet Union, and was at this time the editor of this journal located in Belgrade.

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6804 Q. Dr. Mosely, this article which you have stated you have read comes from the publication entitled "For a Lasting Peace, for a People's Democracy," organ of the Information Bureau of the Communist Parties, Belgrade. I wonder if you would tell us, if you know, about the Information Bureau of the Communist Parties. A. The Information Bureau of the Communist Parties was established as a result of a decision taken at a conference held somewhere in Poland toward the end of September 1947.

At this founding conference, which was announced
6805 publicly on October 22, 1947, the authorized representatives of several Communist Parties were present. These were the Communist Parties or in certain cases they are called the Workers' Parties, of the Soviet Union, Poland, Czechoslovakia, Hungary, Roumania, Bulgaria, Yugoslavia, Italy, and France. At that time it was announced that the representatives of these parties had decided that it would be useful and expedient in promoting unity of action among these parties to establish a central organ for the exchange of experience and for consideration of common problems, and this center was established as the Information Bureau at first in Belgrade, where it began publication of this journal, "For a Lasting Peace, for a People's Democracy," in November 1947, and in July 1948 its headquarters were removed to Bucharest. The original name given to the Information Bureau was the Information Bureau of the Communist Parties of Several Countries. Its present title is the Information Bureau of the Communist and Workers Parties.

Q. In your opinion, Dr. Mosely, is this publication "For a Lasting Peace, for a People's Democracy," the official mouthpiece of the Information Bureau of the Communist Parties? A. It contains both signed and unsigned articles. The signed articles have been published under the names of leaders and prominent spokesmen of many of the Communist Parties, including Communist Parties outside
6806 those which are members of the Bureau itself.

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Q. Dr. Mosely, I would like to call to your attention
6810 again the issue of Pravda of October 22, 1947, which contains the report by Zhdanov on the international situation.

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6811 Q. I ask you whether in your opinion that report fairly reflects the views and attitude of the Soviet Union toward the Communist Party of Czechoslovakia as of that date.

Would you like to see that again? A. Yes.

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The Witness: In this major report on the international situation the late Mr. Zhdanov praised the role of the Communist Party in Czechoslovakia, which was then a member of a coalition government with four other parties. It stated that the policy of the Communist Party in Czechoslovakia and of the coalition government in Czechoslovakia was progressive and democratic and it rejected all criticism of it and assured it of Soviet approval.

By Mr. Lenvin:

Q. Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification No. 221—

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6812 Q. —which is the Daily Worker for Wednesday, May 29, 1946, and direct your attention to the editorial entitled "Czechoslovakia's Way," and ask you whether you have ever read that editorial before.

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The Witness: Yes, I have examined this editorial in the Daily Worker for May 29, 1946.

By Mr. Lenvin:

Q. And in your opinion, Dr. Mosely, does that editorial reflect the views of the Communist Party of the United States toward the Communist Party of Czechoslovakia as of that date? A. Yes, this editorial praises the activity and successes of the Communist Party in Czechoslovakia, praises its support of a coalition government and states that the conduct of free elections in Czechoslovakia proves that the Communists are the best fighters for democracy and that the power of the Communist Party is not incompatible with democracy. In other words, it praises fully the then policy of the Communist Party of Czechoslovakia along lines directly parallel with the expressions of official opinion by the leaders of the Soviet Government and by the official and party press in the Soviet Union.

Q. Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification No. 222—

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6813 Q. —which is an issue of "For a Lasting Peace, for a People's Democracy," for January 1, 1949, and direct your attention to this little article entitled "Results of Czechoslovak-Soviet Talks," and ask you if you have ever read that before. A. Yes, I have.

Q. In your opinion, Dr. Mosely, does that article reflect the attitude of the Soviet Union and the International Communist movement toward the Communist Government of Czechoslovakia as of that date? A. Yes. This is a typical expression of the support of the Soviet Government for the Czechoslovak government of that date.

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6814 Q. Dr. Mosely, in your examination of the publications and other materials issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that party toward the events in Czechoslovakia leading to the control of the Czechoslovak government by the Communist Party?

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The Witness: Yes, I have, on the basis of the published statements of the official press of the Communist Party in the United States.

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6815 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 223—

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Q. —which is an issue of the Daily Worker for Friday, February 27, 1948, and specifically direct your attention to an article appearing on page 3, entitled, "The Czechoslovak People Lick the Warmongers," by William Z. Foster, and ask you whether you have ever read that article before.

The Witness: Yes, I have read this article at the time and since.

By Mr. Lenvin:

Q. In your opinion, Dr. Mosely, does that article fairly reflect the views of the Communist Party of the United States toward the Czechoslovak government as of that date? A. Yes, in my opinion it does. It relates the alleged sequence of events and expresses its full approval with them in terms parallel to those in which approval was expressed by the officials and the press of the Soviet Union.

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6816 Q. I also show you, Dr. Mosely, what now has been marked as Petitioner's Exhibit for identification No. 224—

(The document referred to was marked for identification Petitioner's Exhibit No. 224.)

By Mr. Lenvin:

Q. —which is an issue of Political Affairs for April 1948, and direct your attention to an editorial commencing on page 291 entitled "The People's Victory in Czechoslovakia," and ask you whether you have ever read that editorial before. A. Yes, I have read this editorial at the time and since.

Q. In your opinion, Dr. Mosely, does that editorial reflect the views and attitude of the Communist Party toward the Czechoslovak government as of that time? A. Yes, in my opinion it does. It is an unsigned editorial published in the official magazine of the Communist Party of the United States.

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6820 Q. Dr. Mosely, will you describe briefly the internal political situation within China for approximately the last nine months of 1945 and the beginning of 1946.

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6821 THE WITNESS: During the last nine months of 1945 and the first three and a half months of 1946 the Nationalist government of China was in control of certain provinces and the administration set-up by the Chinese Communist Party was in control of certain other areas. As part of the process of receiving the surrender of the Japanese forces there developed a grace between the two forces, the two governments and the two armies, to extend their respective control over as wide areas as possible in the country. At the same time the Nationalist Government and the Chinese Communist administration, de facto administration, in these areas were conducting negotiations for the establishment of a unified government and a unified army for the entire country. At this time both the Soviet Union and the United States recognized the Chinese Nationalist Government as the legal government of China and the representative of China in all international affairs.

6822 By MR. LENVIN:

Q. Dr. Mosely, in your examination of publications and other materials emanating from the Soviet Union have you been able to arrive at any opinion as to the attitude of the Soviet Union toward the internal political situation in China which you have just described as of that period? A. Yes, I have, on the basis of official publications issued by the Soviet Government and by the Communist Party in the Soviet Union.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 225—

(The document referred to was marked for identification Petitioner's Exhibit No. 225.)

By Mr. Lenvin:

Q. Which is an issue of War and the Working Class.—

Mr. Abt: What is your number?

Mr. Lenvin: M-75.

By Mr. Lenvin:

Q. —for April 15, 1945, and direct your attention to an article by M. Avarin, the title "Which Way is China Going," and ask you if you have ever read that article before. A. Yes, I read this article at the time in Russian, and I have read it more recently in its English translation.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitudes of the Soviet Government toward the political situation in China as of that date? 6823

A. Mr. Avarin has been well known as early as 1931 as an authorized and frequent commentator on Far Eastern and particularly Chinese affairs in the official Soviet Press. This journal was issued by the Council of Trade Unions in the Soviet Union.

Q. Dr. Mosely, from your examination of the publications and other materials issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that Party toward the political situation in China as of that date? A. Yes, I have. Through its official publications and spokesmen, the Communist Party of the United States commented frequently throughout this period on events in China and recommended definite policies which it urged should be followed in respect to China, by the United States and other governments.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 226,—

Q. —which is an issue of Political Affairs for September 1945, and direct your attention to an article commencing on page 843, entitled "Avert Civil War in China," by Frederick V. Field, and ask you whether you have ever read that article before.

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6824 The Witness: Yes, I read this article in Political Affairs, which is the monthly magazine of the Communist Party in the United States.

By Mr. Lenvin:

Q. In your opinion, does this article reflect the views and attitude of the Communist Party of the United States toward the political situation in China as of that date? A. In my opinion it does. In analyzing the Chinese situation and problem, it gives full support to the claims and demands of the Chinese Communist Party. It paints a completely black picture of the policies and situation of the Chiang government. It supports the program followed at that time by the Chinese Communist Party. In this its recommendations and its analysis run directly parallel with those presented through the official press of the Soviet Union on the same issue and at that time.

Q. I would also like to call your attention to the issue of Political Affairs of September 1945, which has been marked as Petitioner's Exhibit for identification No. 210, which contains the resolution of the National Committee of the Communist Party, which you have already seen, and ask you, too, whether these resolutions likewise reflect the views and attitude of the Communist Party toward the
6825 political situation in China as of that date.

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The Witness: Yes, I read these resolutions at the time they were first published, and I read them on several occasions since. In the section of the resolutions which deals with the situation in China and the policy which is advocated by the Communist Party with respect to Chinese developments, its resolution is parallel to the policies and recommendations advocated in the official press of the Soviet Union at that time.

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6828 Q. Dr. Mosely, I show you what has been marked for identification as Petitioner's Exhibit No. 227—

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Q. —which is an issue of the—

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Q. The Daily Worker—for May 25, 1946, and direct your attention to an article appearing on page 2 and ask you whether you have ever read that article before.

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THE WITNESS: Yes, I have read this article.

By MR. LENVIN:

Q. In your opinion does that article reflect the views and attitude of the Communist Party toward the political situation in China as of that date? A. Yes, in my opinion it does. It reflects the interpretation given to those events by the Communist Party of the United States, it reflects the policies which it advocated in relation to Chinese developments, and it reflects the criticism and objections to the policies which it alleged were pursued by the 6829 United States Government. In these respects it directly parallels the criticisms and recommendations expressed in the Soviet Press at the same time on this question.

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6831 Q. Again referring back to that matter which the Panel has agreed to take judicial notice of, I ask, Dr. Mosely, if in your examination of the publications and other materials emanating from the Soviet Union, you have been able to form any opinion as to the views and attitude of the Soviet Union toward the Civil War in China and the eventual emergence of the people's government as the government in China. A. Yes, I have. Through frequent comments in the official Soviet press and the press of the Communist Party of the Soviet Union, Soviet spokesmen

regularly expressed full support and approval for the general policies of the Communist Party in China and welcomed each step in the growth of its military and political power. Upon the completion of the basic conquest of the Chinese mainland by the forces of the so-called people's republic, the Soviet government withdrew its recognition from the Chinese Nationalist Government, which it recognized up to then, and extended recognition to the so-called people's government, which has always stated that it is led by the Chinese Communist Party, that the Chinese Com-
munist Party is the leading force within the so-called
6832 people's republic. The Soviet Government and the
Communist Party of the Soviet Union congratulated both the Government of the so-called people's republic and the leadership of the Chinese Communist Party upon its victory at the beginning of October 1949.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 228—

(The document referred to was marked for identification Petitioner's Exhibit No. 228.)

By Mr. Lenvin:

Q. —which is an issue of the Soviet Press Translations issued by the Far Eastern Institute of the University of Washington, issue for 15 February 1947, containing a translation of an article in Izvestia for December 8, 1946, by A. Perevertailo, and ask you whether you have ever read that article before. A. Yes, I read this article shortly after it appeared, in Russian, in Izvestia in Moscow, and I later read it in translation issued under the auspices of the Soviet Press Translations of the University of Washington.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Soviet Union toward the political situation in China as of that date? A. Yes, in my opinion, since it was published in Izvestia, it is an authori-
tative statement of the Soviet view of Chinese de-
6833 velopments. It gives full approval to the general

course followed by the Chinese Communist Party and the administration of that Party in certain provinces of China, and it places all responsibility for the failure of any efforts to unify the regime in China upon the Chinese Nationalist Party and government, although that failure was not yet a final one as far as it could be foreseen at the time.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 229—

(The document referred to was marked for identification Petitioner's Exhibit No. 229.)

By Mr. Lenvin:

Q. —which is an issue of Soviet Press Translations by the Far Eastern Institute of the University of Washington, for February 15, 1948, which contains an article from Pravda for December 6, 1947, entitled, "The Rising Struggle for National Liberation in China," by K. Yevgenyev, and ask you whether you have ever read that article before. A. Yes, I read this article in Pravda shortly after it appeared, and I have read it in the English translation prepared by the Soviet Press Translations of the University of Washington.

Q. In your opinion does that article reflect the views and the attitude of the Soviet Government toward the political situation in China as of that date? A. Yes, in my 6834 opinion it does. It appeared in the official organ of the Central Committee and the Moscow Committee of the Communist Party Bolshevik. It is a typical expression of the Soviet interpretation of the situation and the development in China, and a typical set of recommendations concerning those developments.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 230—

(The document referred to was marked for identification Petitioner's Exhibit No. 230.)

By Mr. Lenvin:

Q. —which is an issue of Soviet Press Translations for November 15, 1949, which contains the translation of an editorial from Pravda dated October 5, 1949, entitled, "The Historic Victory of the Chinese People," and ask you whether you have ever read that before. A. Yes, I read the major part of this editorial in Pravda of October 5, 1949, as transmitted by the Soviet Press agency on the following day. I read the completed editorial in Russian a few days later, and I have read the translation into English.

Q. In your opinion, Dr. Mosely, does that article reflect the view and attitude of the Soviet Union toward the political situation in China as of that date? A. Yes. This is in my opinion an authoritative statement of the 6835 Soviet view and recommendations and hopes concerning the then existing situation in China. It states the official attitude of the Soviet Government toward the newly created People's Democratic Republic of China.

Q. I also show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 231—

(The document referred to was marked for identification Petitioner's Exhibit No. 231.)

Mr. Lenvin:

Q. —which is an issue of "For a Lasting Peace, for a People's Democracy," for November 11, 1949, which issue contains a report delivered by G. M. Malenkov at the anniversary meeting of the Moscow Soviet November 6, 1949, and ask you whether you have ever read this report before. A. Yes, I have. I read extensive excerpts from it on the following day reproduced in the American Press, and I read the full text in Pravda in a few days after it was published in Moscow, and I have read the English version as published in the organ of the Information Bureau of the Communist and Workers Parties.

Q. In your opinion, Dr. Mosely, does that report or do portions of that report fairly reflect the views and attitude

of the Soviet Union toward the political situation in China
as of that date? A. In my opinion it does. This is a report
delivered by a member of the Politburo of the Cen-
6836 tral Committee of the Communist Party Bolshevik
upon the solemnization celebrating the anniversary
of the October Revolution in Russia, and this occasion is traditionally made the time of formal authoritative pronouncements by leading members of the Communist Party and of the Soviet regime.

Q. I now show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 232—

(The document referred to was marked for identification Petitioner's Exhibit No. 232.)

By Mr. Lenvin:

Q. —an issue of Political Affairs for July 1946, and direct your attention to an article commencing on page 602 entitled "U. S. Imperialist Intervention in China," and ask you whether you have ever read that article before. A. Yes, I have read this article.

Q. In your opinion, Dr. Mosely, does that article fairly
reflect the attitude of the Communist Party of the United
States toward the political situation in China as of that
date? A. In my opinion it does. It was published in the
magazine of the Communist Party of the United States, and
it is typical of other expressions of opinion on the same
problem at about that time by the Communist Party
6837 of the United States.

The interpretation which it gives to events in China and the recommendations which it makes concerning policy toward those developments is directly parallel with the interpretations and recommendations as published by the official Soviet Press at about that time.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 233—

(The document referred to was marked for identification Petitioner's Exhibit No. 233.)

By **Mr. Lenvin**:

Q. —Political Affairs for December 1948, which reprints the text of a cablegram sent on December 6, 1948, entitled "Greetings to the Glorious Communist Party of China," and ask you whether you have ever read that before. A. Yes, I have read this at the time and since. It is a greeting extended by the Communist Party of the United States over the signature of Mr. Foster and Mr. Dennis, "To the Victorious Fighters and Leaders of the People's Liberation Army led by the Great Communist Party of China and Helmsman, Mao Tse-tung."

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 234—

(The document referred to was marked for identification Petitioner's Exhibit No. 234.)

6838 By **Mr. Lenvin**:

Q. —Daily Worker for Tuesday, October 4, 1949, and direct your attention to an article appearing on page 2 entitled "Foster-Dennis Hail New China," and ask you whether you have ever seen that before. A. Yes, I read this message as published in the Daily Worker for October 4, 1949, page 2. It is an official greeting from the National Chairman and General Secretary of the Communist Party of the United States addressed to the Chairman of the People's Republic in China. It extends the congratulations of the Communist Party in the United States to the newly formed People's Republic government of China. It praises the leading role of the Chinese Communist Party in the victories which have been achieved in China.

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6840 Q. Dr. Mosely, in your examination of the publications and other materials emanating from the Soviet Union, have you been able to arrive at any opinion as to the views and attitude of the Soviet Union toward the Civil War existing in Viet Nam in the years following the cessation of hostilities in Asia? A. Yes, I have.

Q. Will you state what those views and attitudes were in your opinion? A. When large-scale guerilla fighting broke out in the summer of 1946 in Indo-China, of which Viet Nam is one part, the Soviet press expressed its full approval of the struggle waged by the so-called liberation forces and urged victory of that side in the struggle. It attacked the French in Indo-China and the Government of the French Republic for continuing to wage its war in the area. Then it declared its full sympathy and support for
the so-called people's liberation forces, and later it
6841 recognized the Government of the People's Republic
of Viet Nam which was then headed by Ho Chi Minh,
who was described in the Soviet Press as an experienced Communist of many years' standing. It rejected the protest of the French Government made against this recognition of the People's Republic of Viet Nam by the Soviet Union.

Q. I show you, Dr. Mosely what has been marked for identification as Petitioner's Exhibit No. 235—

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Q. —which is an issue of New Times, No. 6, 1950, and direct your attention to an article entitled "The Soviet Union and Viet Nam," and ask you whether you have ever read that article before. A. Yes, I read this article shortly after it was published in the Russian language edition of New Times, and I have also read it in the English language version of New Times.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Soviet Union toward the political situation existing within Viet Nam as of that date? A. In my opinion it does. This is a typical Soviet inter-
pretation of the events in Viet Nam, expressing full
6842 support for the so-called democratic republic of Viet
Nam and its military forces and justifying the recog-
nition of the government of Ho Chi Minh as the Government representing the entire Viet Nam people.

Q. The Chairman has stated that the Panel take judicial notice of the fact that there was guerilla warfare going on within the Philippines. Can you state the names of the opposing factions in this guerilla warfare in the Philippines? A. In the Philippines the fighting of guerillas had been led by the organization known as Hukbalahops, commonly abbreviated Huks, and Tagalog, which means the People's Liberation Army.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 236—

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Q. —which is an issue of New Times, No. 31, 1950, and direct your attention to the article entitled "The Philippine Scene," by I. Lapitsky, and ask you whether you have ever read that article before.

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The Witness: Yes, I have read this article in both the Russian and English language versions of New Times. I have read this article by I. Lapitsky in both the Russian
6843 language and the English language versions of
New Times which is an authoritative journal published in Moscow dealing with world affairs.

By Mr. Lenvin:

Q. In your opinion does that article reflect the views and attitude of the Soviet Union toward the guerilla warfare situation in the Philippines as of that date? A. This is a typical expression of the Soviet approval and support for the Huks, which has been expressed frequently since the guerilla fighting broke out in July 1946.

Mr. Abt: Will you give me the date of that New Times article?

Mr. Lenvin: August 2, 1950. Some of them don't carry a date.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 237—

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Q. —which is Soviet Press Translations for November 1, 1948, and direct your attention to the translation of an article which appeared in Izvestia for September 12, 1948, which I. Plyshevsky wrote, entitled "The Situation in Burma," and ask you whether you have read that
6844 article before. A. Yes, I read this article in Russian
in Izvestia shortly after it was published in Moscow, and I have read an English version published in Soviet Press Translations.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Soviet Union toward the political situation in Burma as of that date? A. Yes, in my opinion it does. It is a typical Soviet expression of views concerning the nature of the struggle in Burma, expressing its opposition to the legally recognized government of Burma and expressing full support to the Communist-led guerilla forces against both the government and other guerilla forces which are not communist-led.

Q. Dr. Mosely, from your examination of the publications and other materials issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that party toward the political situations in Indo-China, Burma, and the Philippines. A. Yes, I have, on the basis of the published statements of the spokesmen, commentators and official press of the Communist Party of the United States.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 238—

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6845 Q. —which is an issue of Political Affairs for January 1951, and direct your attention to the main resolution of the 15th National Convention of the Communist Party, USA, entitled "Working-Class and People's Unity for Peace," and ask you whether you have ever read that before? A. Yes, I have read this main resolution of the 15th National Convention.

Q. In your opinion, Dr. Mosely, does that resolution reflect the attitude of the Communist Party of the United States toward the political situation existing in Indo-China and Burma as of that date? A. Yes, in my opinion it does. It expresses support for the cause of the movement of colonial liberation, and names Indo-China and Burma and the Philippines among those areas in which it supports that struggle.

Q. I also show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 239—

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Q. —which is Political Affairs for October 1950, and I direct your attention to page 1 which contains the main report to the plenary session of the National Committee of the Communist Party, USA, held on September 19 6846 and 20, 1950, entitled "The Present Situation and the Tasks of Our Party," by Gus Hall, and ask you whether you have ever read that report before. A. Yes, I have read this speech or report delivered by Mr. Hall and published in Political Affairs for October 1950.

Q. In your opinion, Dr. Mosely, does this report reflect the attitude of the Communist Party toward the political situation in Burma and the Philippines? A. Yes. It is a highly authoritative statement of the views advocated by the Communist Party of the United States and it expresses full support for the so-called liberation movement in Burma, the Philippines, and Indo-China. In this it is directly parallel to the expressions of views published in the Soviet Press.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 240—

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Q. —which is the Daily Worker for June 29, 1949, and direct your attention to an article "Around the Globe," by Joseph Starobin, and ask you whether you have ever read that before. A. Yes, I have read this article by Mr.
6847 Starobin in the Daily Worker for June 29, 1949.

Q. In your opinion, Dr. Mosely, does that article reflect the view of the Communist Party toward the political situation in Viet Nam as of that date? A. In my opinion it reflects the policies advocated by the Communist Party of the United States with respect to the struggle going on in Indo-China, of which Viet Nam is one part. It makes definite recommendations concerning both French and United States policy on this question.

These recommendations and this interpretation are directly parallel with those advanced by the official Soviet press on this question and at that same general time.

Q. Dr. Mosely, in your examination from the publications and other materials emanating from the Soviet Union have you been able to form any opinion regarding the views and attitude of the Soviet Government toward the Civil War which raged in Greece during the postwar years? A. Yes, I have, on the basis of numerous statements made by Soviet spokesmen at public meetings and at international conferences, as well as through the Soviet press and the press of the International Communist movement.

Q. I would like to direct your attention again, Dr. Mosely, to that article which appears in Pravda for October 22, 1947, the article by Zhdanov entitled "The International
6848 Situation," Petitioner's Exhibit for identification No. 214, and ask you whether in your opinion this report reflects the views and attitude of the Soviet Union toward the political situation existing in Greece as of that date. A. Yes, in my opinion it does. This is a highly authoritative statement of the Soviet interpretation of the situation and of its recommendations and policy.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 241—

(The document referred to was marked for identification Petitioner's Exhibit No. 241.)

By Mr. Lenvin:

Q. —which is the USSR Information Bulletin for April 22, 1949, which contains the text of a speech on the question of "The Veto and the Aggressive North Atlantic Bloc," made by Soviet Deputy Foreign Minister Andrei Gromyko at the General Assembly of the United Nations on April 13, 1949 and direct your attention to what is marked "A, the Greek Question" in that speech, and ask you whether you have ever read that before. A. Yes, I have read this speech.

Q. In your opinion, Dr. Mosely, does that speech reflect the views and attitude of the Soviet Government toward the so-called Greek question. A. Yes, in my opinion it does. It is a detailed and authoritative statement of the Soviet position concerning the struggle which has been going on in Greece since the mid-summer of 1946 which came to an end a few weeks after the speech. 6849

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 242—

(The document referred to was marked for identification Petitioner's Exhibit No. 242.)

By Mr. Lenvin:

Q. —which is the verbatim minutes of the 99th Plenary meeting of the United Nations held in the General Assembly Hall at Flushing Meadows, New York, Tuesday 21 of October 1947, and direct your attention to the speech made by Mr. Kiselev, representative of Byelorussian Socialist Republic, and ask you whether you have ever read that report. A. Yes, sir. I have read this verbatim report of the speech made by Kiselev. Mr. Kiselev is the representative of the Byelorussian Soviet Socialist Republic, which has a Ministry of Foreign Affairs, but according to the Soviet constitution those republics which have separate ministries of foreign affairs follow the broad lines of policy laid down by the All-Union Ministry of Foreign Affairs.

Q. In your opinion, Dr. Mosely, would this speech reflect the views and attitude of the Soviet Union toward the Greek guerilla question as of this date? A. Yes, it does. It is a typical presentation of the nature and course of the
struggle in Greece. It advocates the same measures
6850 which have been advocated since the summer of 1946
by the Soviet Government, down to the termination of the struggle in Greece in 1949.

Q. Dr. Mosely, with your examination of the publications and other materials which have been issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that party toward the Civil War in Greece? A. Yes, I have, on the basis of the official statements, resolutions, and other authorized articles published in the official press of the Communist Party in the United States.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 243—

(The document referred to was marked for identification Petitioner's Exhibit No. 243.)

By Mr. Lenvin:

Q. —which is an issue of Political Affairs for November 1948, and direct your attention to an article commencing on page 969 entitled "Greece and the American People's Tasks," and ask you whether you have read that article before. A. Yes, I have read this article at the time and since. It is a typical interpretation of the events in Greece. It gives its full approval to the policy followed by and advo-
cated by the Soviet Government and urges that the
6851 American Government should adopt the same policy.
It is directly parallel to the contemporaneous expressions of official Soviet opinion.

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6854 Q. Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification No. 244—

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Q. —a publication put out by the Ministry of Foreign Affairs of the USSR, documents on the Soviet Union and the Berlin question, and direct your attention to the note from the Soviet Government to the Government of the United States of America, July 14, 1948 and ask you whether you have ever read that before. A. Yes, I have read this document, in Russian in the Soviet Press shortly after it was issued, and I have read it in translation into English.

Q. In your opinion, Dr. Mosely, does that document reflect the views and attitude of the Soviet Government toward the internal political situation in Germany as of that
6855 date? A. Yes, it does. It throws upon the three western powers and the freely elected German authorities in Western Germany all responsibility for the division of the country into these two major parts. It advocates the reunion of the two major parts of the country on a basis of equality of representation of the two parts in a constituent council, despite the fact that the population of the Western zones is about 48 million and that of the Eastern zone about 19 million. The basis of parity of representation was thus advocated by the Socialist Unity Party in Germany, in the Soviet zone of Germany, and by the Soviet Government. It throws upon the elected leaders of the people of Western Germany, upon the Governments of the United States, Great Britain and France, all responsibility for failure to overcome the division of Germany into these two major parts.

Q. Dr. Mosely, I would like to show you what has been marked as Petitioner's Exhibit for identification No. 245—

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Q. —which is an issue of Pravda for October 22, 1950, which contains a declaration of the Ministers of Foreign Affairs of the USSR, Albania, Bulgaria, Czechoslovakia, Poland, Roumania, Hungary, and the German Democratic Republic, concerning the decisions of the New York three-power conference on the remilitarization of Western Germany, and ask you whether you have ever read that declaration before. A. Yes, I read this declaration on the following day as transmitted by the American press, and I also read it in Russian a few days later and in Pravda. I have read the translation which is presented here. 6856

Q. In your opinion, Dr. Mosely, does that declaration reflect the views and attitude of the Soviet Union toward the internal political situation of Germany, on the so-called German question, as of that date? A. Yes, in my opinion this is a highly authoritative statement of the position of the Soviet Government of the whole question of Germany as of that time. It repeats and expands the main assertions concerning the origins of the situation and it advocates the same proposals for the unification of Germany on the bases which had all along been described by the Soviet Government as the only acceptable ones and which were not acceptable to the freely elected government in Western Germany or to the three western powers.

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6857 Q. Dr. Mosely, was there a blockade of Berlin in 1948? A. Yes, in effect there was. Beginning in early April 1948, various measures, allegedly technical in character, were taken which began to impede the movement of persons and goods between Berlin and the Western zones. In the second half of June 1948 these technical measures ordered by the Soviet military authorities were intensified to the point where all movement by land or water on the part of goods and persons going to or from the western zones and western Berlin, including allied personnel, was cut off except for one purely allied military train each way per day.

Q. I would like to refer to the notes of the Soviet Government to the Government of the United States, July 14, 1948, and October 3, 1948, contained in the publication, The Soviet

Union and the Berlin Question, which you have already stated you have read, and ask you whether in your opinion—

Mr. Abt: That is an exhibit which has been identified earlier?

6858 Mr. Lenvin: Yes.

Mr. LaFollette: That is 244, Mr. Abt.

By Mr. Lenvin:

Q. And I ask you whether in your opinion, Dr. Mosely, those notes reflect the attitude and views of the Soviet Government toward the blockade of Berlin which you have just described. A. Yes, in my opinion they do. I have read and studied carefully both notes in both Russian and English. These are official notes transmitted by the Soviet Government to the Government of the United States, and similar notes were transmitted by it to the governments of France and Great Britain. They set forth the interpretation, the claims and the recommendations of the Soviet Government on the whole question of the future of Germany as well as of the access to Berlin.

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6859 A. The Soviet Government maintained that the breakdown of the joint allied administration of Berlin from whatever causes that development arose, meant that three western powers had no further right to maintain their forces or their authority in any part of Berlin. The Soviet Government offered to withdraw these measures and to restore the previous position prior to June 1948 if the western powers would agree to the conditions which the Soviet Government had advanced as the basis for forming a unified German government.

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6860 Q. Dr. Mosely, in your examination of the publications and other material which have been issued by the Communist Party of the United States have you been able to form any opinion as to what the views and attitude of that Party were toward the political situation in Germany and the blockade of Berlin? A. Through its official statements and the published statements of their spokesmen, the Communist Party of the United States gave strong criticism to the course of events in the three Western Zones, opposed the formation of the West German Republic, praised the developments in the Soviet Zone and the formation of the people's democratic republic in the Soviet Zone. It upheld the Soviet contentions concerning the basis for putting a stop to land and water traffic between West Berlin and the Western Zones. At each stage in my opinion the Communist Party of the United States supported the Soviet contentions and the recommendations of policy advanced by the Soviet Government. Its reasoning and its 6861 recommendations were directly parallel to those advanced by official Soviet spokesmen and the official Soviet press.

Mr. Marcantonio: Just so that the record will from time to time show it, we have a continuing objection to all these questions and these answers.

Mr. LaFollette: That is correct.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 246—

(The document referred to was marked for identification Petitioner's Exhibit No. 246.)

By Mr. Lenvin:

Q. Which is the Daily Worker for Tuesday, July 20, 1948, and direct your attention to page 3, which contains an article entitled "U.S. Spurs Cold War in Berlin Crisis" and an editorial entitled "Adventures in Germany," and ask you whether you have read those items before. A. Yes, I have read these items in the Daily Worker of July 20, 1948, at the time and since.

Q. In your opinion, Dr. Mosely, do those items reflect the views and attitude of the Communist Party toward the German situation as of that date? A. Yes, in my opinion they

are typical expressions of the opinions and recommendations of the Communist Party in the United States regarding the situation in Germany and in Berlin. They
6862 are parallel to the positions advanced by the Soviet spokesmen at that time.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 247—

(The document referred to was marked for identification Petitioner's Exhibit No. 247.)

By Mr. Lenvin:

Q. Which is the issue of Political Affairs for March 1947, and direct your attention to an article commencing on page 204 entitled "The German Problem and Big Three Unity," and ask you if you have ever read that article before. A. Yes, I have read this article by Joseph Clark, which appeared in Political Affairs for March 1947.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Communist Party toward the German question as of that date? A. Yes, in my opinion it expresses full support for the policy pursued by the Soviet Government in Germany as a whole, in the Soviet Zone, and its support of the Soviet Unity Party of Eastern Germany. It runs directly parallel with the main contentions and recommendations of Soviet policy at that time.

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6863 Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 248—

(The document referred to was marked for identification Petitioner's Exhibit No. 248.)

By Mr. Lenvin:

Q. —which is an issue of Political Affairs for November 1948, and direct your attention to an article commencing on page 951 entitled "The Wall Street-Washington Peace Panic," and ask you whether you have ever read that article before. A. Yes, I have read this article at the time and since. It is a typical presentation of the views of the Communist Party of the United States concerning the developments in Germany and Berlin. It gives full support to the position taken by the Soviet Government at that time and on this question. Its explanation of the background and the possible remedies for the situation are directly parallel with those advanced in the official Soviet press.

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6871 Q. I would like to ask, Dr. Mosely, whether in your examination of the publications and other materials emanating from the Soviet Union, you have been able to form any opinion regarding the Soviet views and attitude toward those facets of American foreign policy generally termed the Truman Doctrine and the Marshall Plan and the resultant program of Economic Cooperation Administration.

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The Witness: I have formed an opinion. The Soviet Press, of the Government and the Communist Party Bolshevik of the Soviet Union, has commented frequently and at great length on these two major aspects of United States policy since 1947.

6872 By Mr. Lenvin:

Q. Referring for a moment to that exhibit which is already in for identification which we have marked as Exhibit M-1 and which is Petitioner's Exhibit marked No. 214, in your examination of that report by Mr. Zhdanov appearing in Pravda for October 22, 1947, does that report reveal one of the purposes of the founding meeting of the Information Bureau of the Communist Party, do you recall? A. Yes, it does. The purpose of the Conference of several Communist Parties called in Poland in the second half of September 1947 was to mobilize all possible forces in opposition to the Truman Doctrine and the Marshall Plan of Economic Aid for the recovery of Europe. It attacked both of these policies bitterly as aggressive steps, preparation for war, for an aggressive war, and for the establishment of United States domination over the world, and declared that the Parties there represented had as their duty to combat it in every way and to defeat both of these plans as they described them, and called upon all like-minded persons and groups throughout the world to join in the struggle which it described as a struggle against American Imperialism and Militarism.

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6873 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 249—

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Q. —which is an issue of For a Lasting Peace, for a People's Democracy, for December 2, 1949, and would like to direct your attention to the report submitted to the meeting of the Information Bureau of the Communist Parties held in the second half of November 1949 by M. Suslov, entitled "Defense of Peace and the Struggle Against the Warmongers," and ask you whether or not you have ever read that report. A. Yes, I have read this both in the Russian language in the Soviet press at the time and in the English version presented by the magazine For a Lasting Peace, for a People's Democracy, under date of December 2, 1949. Mr. Suslov has for many years since roughly 1934 been considered an important and authoritative spokesman of the Soviet Government. He has served at different times as alternate member of the Politburo of the Central Committee of the Communist Party Bolshevik of the Soviet Union and as a member at various times of the very important Committee on Organization and the Committee on Propaganda, both subdivisions of the 6874 Central Committee of the Communist Party Bolshevik. This statement is, then, one that I consider authoritative as an expression of the Soviet point of view.

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Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 250 for identification—

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Q. —which is the USSR Information Bulletin for May 26, 1948, and direct your attention to the statements of V. M. Molotov and U.S. Ambassador Smith, which is a translation of a Tass release published by the Soviet Daily Press, and ask you whether you have ever read these statements before. A. Yes, I read these statements on the day following their release in Moscow. I read them again carefully
6875 in Russian in the Soviet Press, and I have read them
in this English version presented by the USSR Information Bulletin of May 26, 1948.

Q. In your opinion, Dr. Mosely, does the statement of Mr. Molotov reflect the views and attitude of the Soviet toward those facets of American foreign policy which we have mentioned previously? A. Yes, in my opinion it does. Mr. Molotov, then Minister of Foreign Affairs of the USSR, was speaking on instructions of his government, and this statement that he made was reduced to writing and published widely by the Soviet Government. In this statement the Soviet Government attacks the Truman Doctrine, the Marshall Plan or ECA program, and the North Atlantic Treaty organization as aggressive steps preparatory to attacking the Soviet Union and establishing domination over the world.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 251—

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Q. —an issue of Pravda for January 29, 1949, which contains a statement of the Ministry of Foreign Affairs of the USSR concerning the North Atlantic Pact, and ask you whether you have ever read that before. A. Yes, I
6876 read this in excerpt on the following day as transmitted by Tass to the United Press. I read it in full in Pravda in Russian within a few days and have studied it frequently since. I have read the English translation from the Russian into English.

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THE WITNESS: It is an official statement of the Ministry of Foreign Affairs of the USSR. It attacks strongly, in concept and in its details, the North Atlantic Pact. It describes the world as divided into two camps, the camp for peace which is led by the USSR, and the camp for war which it states is led by the United States. It asserts that the purpose of the conclusion of this regional pact is to prepare an aggressive war against the Soviet Union and those states allied to it.

By MR. LENVIN:

Q. I would like to refer again to what has been marked as Petitioner's Exhibit No. 249, which we first marked Exhibit M-2, which is the issue For a Lasting Peace, for a People's Democracy, for December 2, 1949, and which contains the report by Suslov entitled "Defense of Peace and the Struggle Against the Warmongers," and ask you whether in your opinion that article reflects the view of the Soviet Government on the proposition that the world
is divided into two camps, the imperialist camp being
6877 that of the United States and the peace camp that
of the Soviet Union. A. Yes. The speech by Mr. Suslov takes this concept of the division of the world into two opposite and contrasting camps as the whole basis of his analysis of the world situation at the time he was speaking.

Q. Dr. Mosely, from your examination of the publications and other materials which have been issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that party toward those facets of American foreign policy that we have been discussing, to wit, the Truman Doctrine, the Marshall Plan, and the ECA? A. Yes, I have. Through its official pronouncements and through the publications of its official press the Communist Party of the United States has taken a definite position in respect to each of these major aspects of United States foreign policy since 1947.

The Communist Party has attacked all three of those aspects of policy as imperialist, militarist, aggressive. It has contrasted the policy of the Soviet Union and of the countries which support its position, calling their position one of support of peace and democracy, and stating constantly that the position upheld by the United States and those countries and groups which support it is one of militarism, imperialism, aggression, of preparing an aggressive war for the destruction of the Soviet Union.

6878 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 252—

(The document referred to was marked for identification Petitioner's Exhibit No. 252.)

By Mr. Lenvin:

Q. —which is our M-100, and direct your attention to an article commencing on page 675, which is the text of a report delivered at the June 27-30 meeting of the National Committee of the Communist Party, USA, entitled "American Imperialism and the War Danger," by William Z. Foster, and ask you whether you have ever read that article before. A. Yes, I have read this article at the time it was published, and since. It was published in the August 1947 issue of Political Affairs. It characterizes the world as divided into two contrasting camps. It attributes the support of peace and democracy solely to what it calls the Soviet Camp and it attributes the aims of imperialism, militarism, aggression and domination of the world to the United States. In its interpretation of world affairs of that date and in its recommendations of policy it parallels closely the official position of the Soviet Government and of the Soviet official and Party press.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 253—

6879 (The document referred to was marked for identification Petitioner's Exhibit No. 253.)

By Mr. Lenvin:

Q. —which is an issue of Political Affairs for April 1948, and direct your attention to a statement commencing on page 304, entitled "The Communist Position on the Marshall Plan, Statement of the Communist Party, USA, to the Foreign Affairs Committee, House of Representatives, on the Proposed European Recovery Program," submitted February 17, 1948, and ask you whether you have ever read that statement before. A. Yes, I have read this statement at the time and more recently. It is an official statement presented by the Communist Party of the United States to the Foreign Affairs Committee of the House of Representatives. It sets forth the interpretation of that body of the then State of Foreign Affairs and presents concrete recommendations for the conduct of United States foreign policy. Its interpretations and its recommendations parallel closely the interpretations and recommendations of the Soviet official policy and of the Soviet Press.

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6880 Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 254—

(The document referred to was marked for identification Petitioner's Exhibit No. 254.)

By Mr. Lenvin:

Q. —which is an issue of The Worker for Sunday, April 3, 1949, and specifically direct your attention to an editorial entitled "Peace Pact or War Axis?" and ask you whether you have ever read that editorial before. A. Yes, I read this editorial in the Sunday Worker April 3, 1949.

Q. In your opinion, Dr. Mosely, does this editorial reflect the views of the Communist Party toward the North Atlantic Pact? A. Yes, in my opinion it does. It is an editorial in the customary place of editorials. It is also typical of many of that general time on the same problems of foreign policy. Its interpretation and its recommendations are parallel to those presented by the Soviet official press and by the International Communist organ.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 255—

(The document referred to was marked for identification Petitioner's Exhibit No. 255.)

6881 By Mr. Lenvin:

Q. —which is an issue of Political Affairs for July 1950, and I direct your attention specifically to the text of the farewell address, slightly abridged, of an extemporaneous farewell address delivered at the Manhattan Center, New York, on May 2, 1950, by Eugene Dennis entitled "Let us March Forward with Supreme Confidence," and specifically direct your attention to page 11 of the Exhibit which contains the speech, and ask you whether you have ever read that before. A. Yes, I have read this.

Q. In your opinion, Dr. Mosely, do those remarks as stated on page 11 reflect the views of the Communist Party toward those facets of American Foreign Policy which we have been discussing? A. Yes, in my opinion they do. Mr. Dennis stated that his Party had spearheaded the opposition to the Truman Doctrine, the Marshall Plan, and the North Atlantic Anti-Communist War Pact, that it also headed the campaign to achieve a pact of peace with the Soviet Union and to prevent the revival of Nazism and militarism in Germany and in Japan.

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6883 Q. Dr. Mosely, in your examination of the publications and other materials which have emanated from the Soviet Union have you been able to form any opinion as to the views and attitude of the Soviet Union toward the State of Yugoslavia from the period commencing with the cessation of hostilities in Europe, World War II, until June of 1948? A. Yes, I have.

Q. Will you state what in your opinion that attitude was? A. On the basis of many expressions of opinion and interpretation by the Soviet press and Soviet spokesmen, I conclude that during that period between the end of the war in Europe and approximately the beginning of June 1948 the Soviet Government and the leaders of the Communist Party Bolshevik in the Soviet Union highly approved of the development in Yugoslavia, regarded the political development in Yugoslavia as a progressive and important step and held up the Yugoslav development as a model for other so-called people's democracies to follow. In international affairs the Soviet Government gave general and very considerable support to the new Yugoslav regime in the assertion of its position and its claims. At the founding meeting of the Information Bureau of the Communist
6884 Parties, the Yugoslav representative gave the
second speech directly after the representative of the Soviet Union and before the representatives of Communist or Workers Parties participating in the conference were heard.

Q. Dr. Mosely, I would like again to refer to what has been marked as Petitioner's Exhibit for identification No. 213, which was Comrade V. M. Molotov's speech at the Press Conference at the Soviet Embassy in London, which appeared in Izvestia for September 20, 1945, and what has been marked as Petitioner's Exhibit for identification No. 214, which is the report or article by Zhdanov entitled "The International Situation," as it appeared in Pravda for October 22, 1947, and ask you whether in your opinion both Mr. Molotov's speech and Mr. Zhdanov's report reflect the views and attitude of the Soviet Union toward the State of Yugoslavia as of those times. A. Yes, I have examined both of these statements in detail on a number of occasions. In the statement of September 1945 Mr. Molotov expressed full satisfaction with the course of development in Yugoslavia and praised the regime in control of that country. In his speech at the founding conference of the Cominform in late September 1947 the late Mr. Zhdanov similarly expressed great pride in the achievements of the regime then in control of Yugoslavia.

From these statements one must conclude that at
6885 both times these two responsible Soviet leaders were
completely satisfied with and pleased with the course of development in Yugoslavia, and these expressions of views are merely typical of many other similar expressions of Soviet views during that period.

Q. Dr. Mosely, in your examination of the materials and publications issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that Party toward the State of Yugoslavia from about 1945 to June of 1948? A. Yes, I have.

Q. Will you state what in your opinion those views and attitudes were? A. On numerous occasions the Communist Party of the United States, through official statements and through its official press, expressed its approval of the course of developments in Yugoslavia, expressed its pride in the achievements of the Communist Party of Yugoslavia in reshaping the whole political and economic structure of the country, and expressed support for the aims of the Yugoslav Government at that time. These interpretations of events and recommendations of policy were directly parallel to the official Soviet view and official Soviet policy of that time.

Q. Dr. Mosely, I would like to refer briefly to what has been marked as Petitioner's Exhibit for identification No.
216, which is the article entitled "The National Ques-
6886 tion in Europe," by William Z. Foster, which ap-
peared in Political Affairs for June 1947, and ask you whether in your opinion that article fairly reflects the views and attitudes of the Communist Party toward the state of Yugoslavia as of that date. A. Yes. I have examined this article by Mr. Foster on a number of occasions and in detail. It is in my opinion an authoritative statement of the views of the Communist Party of the United States concerning the problems of Eastern Europe and including

the problems of Yugoslavia. It expresses full approval of the developments in Yugoslavia and its interpretation is directly parallel to the official interpretations of the Soviet Press of that time.

Q. Dr. Mosely, was I correct in my understanding that you testified that you were a member of the Yugoslav Commission—I don't have the name correctly—on the question of settling the matter of Trieste? A. Yes. From early February 1946 until the Commission ended its work in the middle of May 1946, I was the United States Commissioner on the four-Power Commission to investigate the Yugoslav-Italian boundary and to make recommendations to the Council of Foreign Ministers. The Commission held 138 meetings, averaging four hours each, sometimes beginning at nine in the morning and lasting until two or three the next morning. The record was 4:30 one morning, having begun at ten o'clock the previous morning.

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6887 Q. Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification No. 256—

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Q. —which is an issue of the Daily Worker for May 28, 1946, and direct your attention to the article "Trieste and the Right of Self-Determination," which is a statement by the Secretariat of the Communist Party, USA, and ask you whether you have ever read that before. A. Yes, I have read this article.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Communist Party toward the State of Yugoslavia as of that date? A. Yes, in my opinion
this was presented as an official analysis and recom-
6888 mendation by the Secretariat of the Communist
Party of the United States. It supports fully the Yugoslav contentions concerning this issue, and its recommendations as of that time were directly parallel with those which were supported by the Government of the Soviet Union.

Q. I also show you, Dr. Mosely, an issue of the Worker for Sunday May 19, 1946, which has been marked as Petitioner's Exhibit for identification No. 257—

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Q. —and direct your attention to an editorial entitled "The Aid-Quisling Policy," and ask you whether you have ever read that editorial. A. Yes, I read this editorial in the Sunday Worker of May 19, 1946.

Q. In your opinion does that editorial reflect the view of the Communist Party toward the State of Yugoslavia as of that date? A. Yes, in my opinion it does. It expresses close support for the actions taken by the Yugoslav Government at that time on this particular question. It describes Mikhailovich as a Judas. Its attitude on this matter as of that time was directly parallel to the attitude taken by the official Soviet and the International Communist publications.

6889 Q. Dr. Mosely, did there come a time when the views and attitude of the Soviet Union toward Yugoslavia, which you have previously described, underwent a change? A. Yes, this change became known officially on June 28, 1948, through the publication of the report of the Second Conference of the Cominform which had been held in Roumania in early June. This report was published first in the Communist newspaper in Prague, Rudé Právo, and simultaneously published in The Communist and other organs of the Communist press in many parts of the world.

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Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 258—

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Q. —which is an issue of For a Lasting Peace, for a People's Democracy, for November 29, 1949, and specifically direct your attention to the article appearing in that issue which is a resolution of the Information Bureau 6890 entitled "Communist Party of Yugoslavia in the Power of Murderers and Spies," and ask you whether you have ever read that article before. A. Yes, I read this resolution published in For a Lasting Peace of November 29, 1949, the report of a meeting held in the second half of November 1949 at an unnamed locality in Hungary. This resolution was widely publicized at the time primarily in the Communist Press of various countries, including the Soviet Union.

Q. In your opinion, then, Dr. Mosely, does that article reflect the view and attitude of the Soviet Union and the International Communist movement toward the State of Yugoslavia as of that date? A. Yes, in my opinion this was intended to be received as an authoritative statement of the attitude of the conference of Communist Parties held at that time in Hungary. Among the Communist Parties which were reported to be represented were those of Bulgaria, Roumania, Hungary, Poland, the Soviet Union, France, Czechoslovakia, and Italy. Among the representatives listed as representing their parties were Mr. Suslov for the Communist Party of the Soviet Union, together with Mr. Yudin, who has frequently been referred to as the responsible editor of the magazine For a Lasting Peace. Among the representatives of the French Party was Mr. Duclos.

6891 Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 259—

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Q. —which is an issue of New Times identified as No. 48, 1950, and direct your attention to an article appearing therein by A. Piradov, entitled "Tito Yugoslavia—Ramp for American Aggression," and ask you whether you have ever read that article before.

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The Witness: Yes, I have read this article in the Russian version of New Times shortly after it appeared in Moscow, and I have read it in the English version of New Times under No. 48 of 1950.

By **Mr. Lenvin**:

Q. In your opinion does this article reflect the attitude of the Soviet Government toward Yugoslavia as of that date? A. Yes, in my opinion this is a typical Soviet interpretation of the development in Yugoslavia and affecting Yugoslavia.

6892 Q. Dr. Mosely, in your examination of the materials and other publications which have been issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that party toward the State of Yugoslavia or the Government of Yugoslavia after June of 1948? A. Yes. I have. In its official publications the Communist party of the United States has commented frequently and in great detail on Yugoslav developments since June 28, 1948. In fact, it is my recollection that the first comment along the new line came on June 29, 1948, in the form of a denunciation of the regime in Yugoslavia, which for several years prior to that date and since that date has been headed by the same person, with one or two minor exceptions. Marshal Tito now in his turn was called a Judas.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 260—

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Q. —which is an issue of Political Affairs for August 1948, and direct your attention to "Statement on the Information Bureau Resolution Concerning the Situation in the CP of Yugoslavia," issued to the Press June 29, 1948, and ask you whether you have ever read that statement before. A. Yes, I have read the statement at the time and since. 6893

Q. In your opinion, Dr. Mosely, does this statement reflect the views and attitude of the Communist Party toward the Government of Yugoslavia as of that date? A. Yes, in my opinion it does. It was issued to the press on June 29, 1948. It accuses the leadership of the Communist Party of Yugoslavia of abandoning working class internationalism, of expressing hostility to the Communist Party of the USSR. It accuses it of many other matters with which I need not take up your time. It calls for strong opposition to the Communist Party of Yugoslavia and thereby to the regime in Yugoslavia and implies that the United States has brought this about through its war-mongering policy. In its general interpretation it follows closely the point of view taken publicly on the previous day by the published resolution of the Cominform.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 261—

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Q. —which is the Daily Worker for November 20, 1950, and direct your attention to an editorial entitled "Tito Sells Cannon Fodder," and ask you whether you have ever read that editorial before.

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6894 THE WITNESS: Yes, I have read this editorial in the Daily Worker of November 20, 1950.

By MR. LENVIN:

Q. In your opinion, Dr. Mosely, does that editorial reflect the views and attitude of the Communist Party toward the Government of Yugoslavia as of that date? A. Yes, in my opinion it does. It is generally typical of the interpretation of Yugoslav events which has been given by the Communist Party of the United States since the end of June 1948.

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Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 262—

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6895 Q. —which is an issue of Political Affairs for August 1948, and direct your attention to an article commencing on page 701 entitled "The Yugoslav leaders on the Path of Betrayal," by V. J. Jerome, and ask you whether you have ever read that article before. A. Yes, I read this article in Political Affairs for August 1948 by Mr. V. J. Jerome.

Q. In your opinion, does that article reflect the views and attitude of the Communist Party toward the Yugoslav government as of that date? A. Yes, as of that general time, following the rupture of June 28, 1948, it is a typical expression of views of the Communist Party of the United States on this problem. As such, it follows very closely the interpretation and recommendations put forward at that same general time by the official Soviet Press and by the organ of the International Communist movement.

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6896 Q. Dr. Mosely, in your examination of the publications and other materials emanating from the Soviet Union have you been able to form any opinion as to the views and attitude of the Soviet Union toward the national elections which were held in Italy in 1948? A. Yes, I have. In the Soviet Press the interpretation given to the elections was that the Communist Party of Italy was struggling for the defense of peace and democracy and against war and against world domination allegedly sought by the United States. The Soviet Press made very clear its attitude toward the elections in Italy and its full support for the position set forth by the Communist Party of Italy, and the same position was taken by the Cominform Journal, "For a Lasting Peace."

Q. Now I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 263—

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Q. —which is an issue of For a Lasting Peace, for a People's Democracy, for May 1, 1948, and direct your attention to an article entitled "The Italian Election," and ask you whether you have ever read that article before.

A. Yes, I have read this article which appeared in
6897 "For a Lasting Peace" of May 1948.

Q. In your opinion does this article reflect the views and attitude of the International Communist movement concerning the Italian election of 1948? A. Yes, in my opinion it does represent the interpretation which was approved by the Cominform.

Q. Dr. Mosely, will you identify for the Board Mr. Palmiro Togliatti?

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THE WITNESS: Since his return to Italy in approximately February 1944 Mr. Togliatti has been the leading figure and spokesman of the Communist Party of Italy. He was previously known under the name of Ercoli. Mr. Togliatti was for a number of years a member of the Executive Committee of the Communist International and he has represented the Communist Party of Italy at conferences of the Information Bureau of the Communist and Workers Parties known as the Cominform.

By MR. LENVIN:

Q. There was an attempt on Mr. Togliatti's life, was there not, Dr. Mosely? A. Yes. I read of this in the press.

Q. In your examination of the materials issued or
6898 emanating from the Soviet Union or from the Communist Information Bureau, have you been able to form any opinion as to whether the Communist Information Bureau or the Soviet Union took a certain stand or attitude toward this attempted assassination?

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THE WITNESS: Yes, I have. Both the Soviet Press of that time and the organ of the Cominform commented
6899 in considerable detail upon this attempted assassination of Signore Togliatti. The Soviet Press stated roundly that the attempted assassination had been instigated by the United States. The only evidence which it presented in support of that contention was that Mr. Togliatti's name appeared along with that of several hundred other names of Communist leaders in a report which

had been prepared under the auspices of the Committee on Foreign Affairs of the United States House of Representatives.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 264—

(The document referred to was marked for identification Petitioner's Exhibit No. 264.)

By Mr. Lenvin:

Q. —which is an issue of For a Lasting Peace, for a People's Democracy, for August 1, 1948, and direct your attention to an article appearing on Page 1 entitled "Powerful Demonstration of Forces in Democratic Camp," and ask you whether you have ever read that article before. A. Yes, I have read this article which appears in For a Lasting Peace, for a People's Democracy for August 1, 1948.

Q. In your opinion, Dr. Mosely, does that article reflect the view and attitude of the International Communist
6900 movement toward the attempt on the life of Togliatti? A. Yes, it does, in my opinion.

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Mr. Lenvin: I asked whether or not he had been able to form any opinion on the Italian election of 1948.

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6901 The Witness: Through its official press the Communist Party of the United States expressed frequently its views concerning the election which was held in Italy in March 1948.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 265—

(The document referred to was marked for identification Petitioner's Exhibit No. 265.)

By Mr. Lenvin:

Q. —which is an issue of Political Affairs for June 1948, and specifically direct your attention to an article commencing on page 529 entitled "The Italian Elections," by John Gates, and ask you whether you have ever read that article before. A. Yes, I have read this article which appeared in Political Affairs for June 1948.

Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Communist Party to-
6902 ward the Italian Elections of 1948? A. Yes, in my
opinion it represents an authoritative and official statement of the views of the Communist Party of the United States toward the Italian elections of 1948.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 266—

(The document referred to was marked for identification Petitioner's Exhibit No. 266.)

By Mr. Lenvin:

Q. —which is the Daily Worker for Thursday, July 15, 1948, and direct your attention to the box appearing at the top of page 3, with the heading "Communist Party Cables Togliatti," and ask you whether you have ever read that before. A. Yes, I read this item in the Daily Worker of July 15, 1948.

Q. In your opinion does that show the attitude or the view of the Communist Party toward this attempted assassination? A. Yes, this is the publication of the official message from the offices of the Communist Party of the United States. In it it is stated as part of the same general item here that this attempted assassination is the fruit of American imperialism's policy of intervention in Italy's affairs.

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6904 Q. Dr. Mosely, from your examination of materials
and other publications emanating from the Soviet Union and in your general research on the question of

Soviet foreign policy, will you tell us something about the World Congress of Partisans of Peace?

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6905 THE WITNESS: The World Congress of Partisans of Peace was organized at the Congress of organizations held in Paris in April 1949, and its organization was further rounded out by an immediately subsequent congress held in Prague. At a meeting of representatives of the different national committees and organizations which joined this Congress held in Stockholm in March 1950 the so-called Stockholm Peace Appeal was drafted and submitted through these organizations to persons in many countries of the world to solicit their signatures. The so-called peace appeal called for an immediate ban upon the use of atomic weapons and declared that any power which first used those weapons would be regarded, under the rule of war, criminals. Through national committees and organizations very large numbers of signatures were collected to this petition.

By MR. LENVIN:

Q. Dr. Mosely, in your examination of the publications and other materials emanating from the Soviet Union have you been able to form an opinion as to the attitude and the view of the Soviet Union toward the world peace movement, the partisans of peace and the Stockholm Peace Appeal? A. Yes, I have. The official Soviet spokesmen and representatives of Soviet organizations as well as the Soviet Press gave a great many comments and in-
6906 terpretations of the work of the so-called partisans
of peace. The Soviet press stated that since the world was divided into two camps, one of them the Soviet-led camp described as the camp of peace and democracy, and those who supported the so-called Stockholm Peace Appeal or Petition were therefore supporters of the camp for peace and therefore of Soviet foreign policy.

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Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 267, which is the USSR Information Bulletin for July 7, 1950, and direct your attention to the material commencing on page 400 entitled "Supreme Soviet Gives Full Approval to World Peace Congress Appeal," and ask you whether you
6907 have read this material before. A. Yes, I have read this material at the time and since. This purports to be the full transcript in English translation of speeches on this subject made in the Supreme Soviet of the USSR.

Mr. Abt: May I see the exhibit just a moment, please.

The Witness: It states the full support of the Soviet Government for the contents of the Appeal. It also claims that only the Soviet Government, governments friendly to the Soviet Union, and those persons who signed the so-called Stockholm appeal are supporters of peace, and those who opposed or criticized the Congress of the so-called Partisans of Peace or who criticized the so-called Stockholm Appeal were therefore enemies of peace and warmongers.

By Mr. Lenvin:

Q. I would like to call your attention again, Dr. Mosely, to the exhibit which has been marked for identification as Petitioner's Exhibit No. 231, which was the issue of For a Lasting Peace, for a People's Democracy, for November 11, 1949, which contains a report delivered by G. M. Malenkov at the anniversary meeting of the Moscow Soviet, November 6, 1949, and ask you whether in your opinion this report reflects the views and attitude of the International Communist movement and of the Soviet Union toward the World Congress of Partisans of Peace as of that date.

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6908 The Witness: The speech by Mr. Malenkov on November 6, 1949, is in my opinion an authoritative statement of the official Soviet view and view of the Communist Party Bolshevik of the Soviet Union concerning the world situation as of that general time. In his report Mr. Malenkov gives very strong support to the so-called World Peace Congress and asserts that its aim and those of Soviet policy coincide. He identifies the Soviet Union as the camp of peace and its opponents and critics as the camp of war and aggression. This same theme has been elaborated on very many occasions in the Soviet official press and by Soviet spokesmen.

By Mr. Lenvin:

Q. Now, Dr. Mosely, I would also like to show you what has been marked as Petitioner's Exhibit for identification No. 268—

6909 (The document referred to was marked for identification Petitioner's Exhibit No. 268.)

By Mr. Lenvin:

Q. —headed "Soviet Monitor," issued by Tass Agency, and direct your attention to reprint of a Pravda editorial entitled "The Front of the Struggle for Peace is Broadening," and ask you whether you ever read that before. A. Yes, I have read this translation presented by the Tass Agency of the editorial in Pravda.

Q. In your opinion, Dr. Mosely, does that editorial reflect the views and attitude of the Soviet Union toward the so-called peace movement, the World Congress of Partisans of Peace? A. Yes. It expresses complete support of the Soviet Government and the Communist Party Bolshevik of the Soviet Union for the World Peace Congress. It states that this movement is the strongest obstacle to the spread of war and aggression and states that the Soviet people are marching at the head of the camp for peace and democracy. It also places the entire responsibility for the outbreak of hostilities in Korea upon the United States and states that those who support peace also oppose the United States and the United Nations policy and action in Korea.

Q. Dr. Mosely, in your examination of the publications and other materials which have been issued by the Communist Party of the United States have you been 6910 able to form any opinion as to the views and attitude of that party toward the World Congress of Partisans of Peace and the Stockholm Peace Appeal? A. Yes, I have. The Communist Press in the United States has commented frequently upon the so-called World Peace Congress or the movement of the Partisans of Peace. It has asserted that it was the duty of the members of the Communist Party and of supporters to strive in every way to make the Stockholm Appeal known and to secure signatures for it in support of the policy of peace. It has at the same time approved the Soviet attitude toward the World Peace Congress. The attitude which it has taken has been directly parallel to that taken by the official Soviet Press and by the organ of the Cominform.

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Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 269, which 6911 is the Daily Worker for June 9, 1950, and direct your attention to the story commencing on page 1, and ask you whether you ever have read that before. A. Yes, I have read this article in the Daily Worker of June 9, 1950.

Q. In your opinion does that reflect the attitude of the Communist Party of the United States toward the Stockholm Peace Pledge? A. It does. It urges full support by all Americans for the Peace Pledge and urges a campaign to gather five million signatures in support of the specific world peace pledge, which is also reproduced on page 1 of the Daily Worker of this date, June 9, 1950.

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Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 270—

(The document referred to was marked for identification Petitioner's Exhibit No. 270.)

By Mr. Lenvin:

Q. —which is the Daily Worker for July 13, 1950, and direct your attention to an article appearing on the
6912 editorial page, entitled "The Peace Movement is America's only Salvation," by Michael Russo, assistant National Organizational Secretary, Communist Party, and ask you whether you have read that article before. A. Yes, I have read this article by Mr. Russo.

Q. In your opinion, does that article reflect the views and attitude of the Communist Party toward the Stockholm Peace Movement as of that date? A. Yes, in my opinion it does, while Mr. Russo disclaims the intention of speaking for the non-Communist organizations and committees or individuals who have supported the Stockholm Appeal, he does make it clear that he considers that basically signature to the Stockholm Appeal is equivalent to condemning what he describes as the United States attack upon North Korea. In his interpretation and his recommendations he follows very closely the line taken by the official Soviet Press and by the Cominform organ.

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Q. It is a matter of historical fact, is it not, Dr. Mosely, that the Western Powers and the Soviet Union signed a treaty of peace with the Italian Government?

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6913 The Witness: Yes, it is. This treaty was signed approximately on February 15, 1947, and came into force on September 15, 1947.

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6915 Q. Dr. Mosely, from your study and research have you been able to form any opinion as to what the Soviet views and attitudes were toward the projected Italian peace treaty some time between the cessation of hos-
6916 tilities in Europe after World War II and the final signing of the Peace Treaty in 1947? A. Yes, I have.

Q. Will you state what those views and attitudes were? A. Among the principal Soviet demands made in connection with the negotiation of the treaty were that Trieste and surrounding territory should be transferred to Yugoslavia, that a Soviet trusteeship be established in Tripolitania, that large scale reparations be paid by Italy to the Soviet Union and to certain other states. At an early stage in the negotiation the listing of the points of dispute totaled 179.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 271—

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Q. —which is an issue of New Times for May 15, 1946, and direct your attention to an article entitled "The Paris Session of the Council of Foreign Ministers," by A. Sokolov, and ask you whether you have ever read that article before.

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6917 The Witness: Yes, I read the article by A. Sokolov in New Times for May 15, 1946, in Russian, at the time in Paris, in fact in the Palace of Luxembourg where the negotiations of the treaty were going on, and I have reread it in English in this version.

By Mr. Lenvin:

Q. In your opinion does this article reflect the Soviet position regarding the negotiations of the Italian Peace Treaty? A. Yes, in my opinion it is a typical expression of the Soviet views on the negotiations of the Italian Peace Treaty as of that time.

Q. In your examination of the publications and other materials which have been issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that party toward the negotiations toward the Italian Peace Treaty? A. Yes, I have. The official press of the Communist Party of the United States commented frequently on these negotiations.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 272—

6918 (The document referred to was marked for identification Petitioner's Exhibit No. 272.)

By Mr. Lenvin:

Q. —which is the Worker for Sunday, May 19, 1946.
Mr. Abt: What is your number?
Mr. Lenvin: 120.

By Mr. Lenvin:

Q. And direct your attention to an article appearing on page 4 entitled "Byrnes' Acts Hearten Axis States," and ask you whether you have ever read that report. A. Yes, I have read this article in the Sunday Worker of May 19, 1946, page 4. It reviews the negotiations for the Italian Peace Treaty and its interpretation and its recommendations parallel closely those presented by the Soviet Press and by the Soviet official spokesmen, in this case by the Minister of Foreign Affairs, Mr. Molotov.

Q. In your opinion, Dr. Mosely, that article reflects the views and attitude of the Communist Party toward the then negotiations for an Italian Peace Treaty? A. Yes, in my opinion it is an authoritative statement of the position of the Communist Party of the United States on this question at that time, and it recommends that the United States Government adopt the Soviet position on all points in dispute which we listed here.

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6920 Q. Dr. Mosely, it is a historical fact, is it not, that one of the major points of disagreement between the United States and the Soviet Union during certain sessions of the United Nations was on the question of control of atomic energy?

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The Witness: It is a historical fact that there has been continuing disagreement over the problem of the ownership, control, and inspection of fissionable materials between the Soviet Union and certain states supporting its position and the majority of the United Nations, including the United States.

By Mr. Lenvin:

6921 Q. Dr. Mosely, I would like again to refer to what has been marked as Petitioner's Exhibit No. 241, which is the USSR Information Bulletin for April 22, 1949.

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Q. —and the text of the speech contained therein by Andrei A. Gromyko, entitled "The 'Veto' and the Aggressive North Atlantic Bloc," and ask you whether in your opinion the statement made therein by Mr. Gromyko is a fair statement of the Soviet position on the question of the international control of atomic energy. A. I have read this speech by Mr. Gromyko in the records of the United Nations and also as reproduced in the USSR Information Bulletin under date of April 22, 1949, and in my opinion his interpretation of the whole long debate over the question of control over atomic energy is authoritative and typical exposition of the Soviet point of view.

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6922 Q. Dr. Mosely, in your examination of the publications and other materials which have been issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that Party toward the question of the control of atomic energy? A. Yes, I have formed an opinion on the basis of numerous statements issued by the Communist Party of the United States on this question, particularly between July 1946 and the summer of 1949, but also continuing since that time.

Q. I show you, Dr. Mosely, what has been identified as Petitioner's Exhibit No. 273—

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6923 Q. —which is an issue of the Daily Worker for October 12, 1949, and also what has been identified as Petitioner's Exhibit No. 274—

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Q. —which is the Daily Worker for October 13, 1949, and for the issue October 12 I would like to direct your attention to the article by Joseph Starobin, entitled "Soviets Offer A-Bomb Count; Challenge U.S. to do Likewise." And in the issue of October 13, to the column by Joseph Starobin entitled "Around the Globe," and ask you whether you have taken these two articles into account in arriving at your opinion as to the attitude of the Communist Party of the United States towards the question of international control of atomic energy.

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The Witness: I have read these two articles. They are typical of the interpretation given to this problem by 6924 the Communist Party of the United States through its official publications, and they support in every particular the Soviet proposals concerning control and inspection of atomic energy. Such expressions of opinion and such interpretation are found constantly throughout these past five years in the official press of the Communist Party of the United States, and they directly parallel the proposals and augmentation advanced by the Soviet Government in this matter.

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Q. It is also a matter of historical fact, is it not, Dr. Mosely, that another matter of disagreement that arose between the United States and the Soviet Union in the United Nations was on the question of whether the representatives of the People's Republic of China should be seated as representatives of that country rather than the present Nationalist Government delegates?

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THE WITNESS: This question has been a matter of dispute in the United Nations since roughly October 1949, 6925 and on this question the Soviet Government and the United States Government have taken opposite points of view.

By MR. LENVIN:

Q. From your examination of the material and publications emanating from the Soviet Union and from your examination of the debates in the Security Council have you been able to form any opinion as to the views and attitude of the Soviet Union toward this question of the seating of the representatives of the People's Republic of China? A. From the time when the Soviet Government recognized the so-called People's Democratic Republic of China at the beginning of October 1949 as the Government of all of China and therefore qualified to represent China in the community of nations, it has pressed for the seating of the representatives of the Chinese Democratic People's Republic as the representatives of China in all international gatherings and bodies, including the United Nations and its various organs.

It has at the same time pressed for the exclusion of the representatives of the Chinese Nationalist Government from those conferences, meetings and international bodies.

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6926 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 275, Security Council Official Records, Fifth Year, 461st Meeting, 13 January 1950, and direct your attention to pages 1 to 18, and ask you whether you have ever read this before. A. Yes, I have read the minutes of this meeting of the Security Council of the United nations, the 461st meeting, January 13, 1950.

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Q. In your opinion, Dr. Mosely, is that material to which I have just directed your attention illustrative of the

6927 views and attitude of the Soviet Union toward the question of the seating of the delegates from the People's Republic of China? A. Yes. The section of these minutes which reports the speech of the representative of the Soviet Union on this question is a speech by the Deputy Minister of Foreign Affairs, in the most important international organization, and it is to my mind an authoritative summary of the Soviet view on the question of which Government in China should fill the seat assigned to China in the Security Council and in other organs of the United Nations. May I point out that the resolution to which the discussion was directed at that session had been presented at the 459th meeting on January 10, 1950, as Security Council Resolution 1443, and therefore the text is not in these minutes.

Mr. Abt: Mr. Chairman, as I read this exhibit it is minutes of the Security Council, which contain a debate in which first the Ecuadorian representative starts off and then the representatives of a number of the other countries, and Malik's statement occupies only a portion of pages 910, a very brief statement. Then starting on page 16 the Council takes up an entirely different question, regulation and production of armaments and armed forces.

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6928 Q. Dr. Mosely, in your examination of the publications and other material issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that party toward the question of the seating of the representatives of the People's Republic of China in the United Nations? A. Yes, I have, on the basis of frequent comments and recommendations made by the official spokesmen and official press of the Communist Party in the United States, especially from the beginning of October 1949, when the Government of the People's Republic of China received recognition from the Soviet Government.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 276—

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6929 Q. —which is the Daily Worker for November 24, 1950, and direct your attention to the article on the editorial page entitled "People's China should be Seated in the UN," by William Z. Foster, and ask you if you have ever read that before.

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THE WITNESS: Yes, I have read this article by Mr. Foster.

By MR. LENVIN:

Q. And in your opinion is that article typical of the statements which you have read indicating the attitude and views of the Communist Party of the United States toward the question of the seating of the representatives of the People's Republic of China? A. Yes. This is a typical expression of views giving an interpretation and a series of recommendations which are consistent with the frequently repeated expressions of views of the Party. Its recommendations and interpretations are directly parallel with those advanced by Soviet spokesmen and by the Soviet Press.

Q. Dr. Mosely, it is a matter of historical fact, also, is it not, that another matter of dispute between the United States and the Soviet Union related to the election
6929-A of Yugoslavia as a non-permanent member of the Security Council in 1949? A. It is a fact. This issue was before the United Nations for approximately five weeks and was the occasion of many speeches in the General Assembly of the United Nations. It is a fact that opposite points of view on this question, the election of Yugoslavia or the election of Czechoslovakia to a non-permanent seat for the year 1950, was sharply discussed between the representatives of the Soviet and United States Governments.

MR. LAFOLLETTE: Are you abandoning M-124, interview with Josef Stalin, Pravda correspondent, and so forth?

MR. LENVIN: Yes.

By **Mr. Lenvin**:

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 277—

(The document referred to was marked for identification Petitioner's Exhibit No. 277.)

By **Mr. Lenvin**:

Q. —summary minutes of the 231st plenary meeting of the UN Security Council, particularly pages 102 and 103, and ask you whether you have ever read these summary minutes. A. Yes, I read these summary minutes in mimeographed form a few days after the date of the meeting, which was October 20, 1949, and I have also read them in the final printed form.

6930 Q. Have you also read them in the Russian Press? A. Yes, I have read a similar summary printed in Izvestia for October 22, 1949. The Soviet summary has very minor verbal differences, none of them substantial, as compared with the summary minutes as published by the official reporter of the United Nations.

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Q. In your opinion, Dr. Mosely, do these summary minutes reflect the views and attitude of the Soviet Union toward the question of the election of Yugoslavia as a nonpermanent member of the UN Security Council in
6931 1949? A. Yes, they represent the statement of the official spokesman of the Soviet Union on this question.

Q. I now want to show you, Dr. Mosely, what has been identified as Petitioner's Exhibits for identification 278, 279 and 280; 278 being the issue of the Daily Worker for October 19, 1949, and direct your attention to the article appearing on page 3 by Robert Friedman, entitled "USSR Won't Accept Tito on UN Council, Vishinsky Warns." Then I would like to direct your attention to Petitioner's Exhibit 279, a column by Joseph Starobin, "The Election in UN a Test of Sincerity,'' in the Daily Worker for October 20, 1949, page 8—

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Q. Then Petitioner's Exhibit 280, Daily Worker, Friday, October 21, 1949, article, ''U.S. Forces UN Election of Yugoslavia.''

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6932 Q. I ask you, Dr. Mosely, whether in arriving at your opinion as to the views and attitude of the Communist Party toward the question of Yugoslavia as a non-permanent member of the Security Council in 1949 you took those three items into account. A. Yes, I did, among others. These three items in my opinion represent typical interpretations of this problem and typical recommendations concerning it by the Communist Party of the United States, and they are directly in support of and parallel to the position taken by the Soviet representatives on this problem and at that time.

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Q. Dr. Mosely, will you describe briefly the political situation in Korea following the cessation of hostilities in Asia and prior to the outbreak of hostilities in Korea?

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The Witness: In the final stage of the Japanese surrender it was agreed that Soviet troops should receive the surrender of Japanese forces in the area 6933 of Korea north of the 38th Parallel and that the forces of the allied powers in the Pacific, and particularly United States forces, would receive the surrender of Japanese forces in Korea South of the 38th Parallel. The first real attempt to overcome the results of this division—

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The Witness: —was the agreement made at the conference of three foreign ministers at Moscow in December 1945. The carrying out of the arrangements for establishing a coordinated policy in the two zones and for establishing a provisional government over all of Korea broke down. The Soviet and United States representatives in Korea did not agree. A further effort was made in April and May 1947 during the Moscow meeting of the Council of Foreign Ministers, and this was expressed in an exchange of letters between Secretary of State Marshall and Minister of Foreign Affairs, Mr. Molotov. Again the representatives of the two powers in Korea were unable to agree on the implementation of this agreement.

The issue was then brought before the United Nations by the United States, and the General Assembly adopted resolutions and recommendations which were rejected by the Soviet Union.

Mr. LaFollette: What is the date of that last event?

The Witness: The General Assembly is able to 6934 make the recommendations not binding—

Mr. LaFollette: What date?

The Witness: Pardon me. Those recommendations were adopted approximately in November 1947.

The General Assembly of the United Nations established a commission on Korea again in an effort to overcome the division. The Soviet Government declined to be represented on this Commission, and the Government established in North Korea refused to admit the United Nations Commission to its territory or to recognize it in any way.

In the following two years, by 1949, a government had been established in North Korea and a government had been established in South Korea. In June of 1950 the forces of North Korea advanced into the territory of South Korea—

Mr. Marcantonio: I object and move to strike.

The Witness: I haven't completed the sentence.

Mr. Lenvin: Just one minute.

Mr. LaFollette: Overruled.

Mr. Abt: Are we going to get into the question of who fired the first shot in Korea, Mr. Chairman?

Mr. LaFollette: Proceed.

The Witness: If I may complete that sentence: According to the findings of the United Nations Commission on
Korea, which was in South Korea at the time and had
6935 personnel and observers in the area. Since that time
the armed struggle has continued in Korea.

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 281—

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Q. —which is the Security Council official records, Fourth Year, 423rd Meeting, April 8, 1949, and direct your attention to a speech by Mr. Malik commencing on page 2 and ask you if you have ever read that before. A. Yes, I have read the minutes of the Security Council, 423rd meeting, April 8, 1949, including the text of the remarks by Mr. Malik, the representative of the Soviet Government.

Q. In your opinion, Dr. Mosely, does that speech reflect the attitude and views of the Soviet Union both toward the records of North and South Korea as of that date?

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The Witness: In my opinion this statement reflects the
Soviet interpretation of the events and conditions in
6936 both North and South Korea at that time, and similar
interpretations and recommendations of policy were
frequently made by the Soviet Government through its spokesmen and through the official press.

By Mr. Lenvin:

Q. I also show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 282—

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Q. —supplement to New Times, July 12, 1950, and direct your attention to a statement by Deputy Minister of Foreign Affairs of the USSR, A. A. Gromyko—

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Q. —on the American armed intervention in Korea and ask you whether you have ever read that report. A. Yes, I read extensive excerpts from this statement by Mr. Gromyko on the following day in the American press, and a few days later I read the entire text in Russian in the Soviet press, and I have read this English version which was issued as a supplement to New Times, an authoritative Soviet magazine dealing with foreign affairs. This
6937 is in my opinion a detailed and authoritative statement of the Soviet view of the situation in Korea as of the time when Mr. Gromyko spoke.

By Mr. Lenvin:

Q. I also show you, Dr. Mosely, the issue of New Times for November 15, 1950, which is M-128—

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Q. Have you read that article before, Dr. Mosely? A. Yes, I have read the article entitled "In Defense of Korea," in New Times No. 46 for 1950.

Q. In your opinion, Dr. Mosely, does that article fairly reflect the view of the Soviet Union toward the situation in Korea as of that date? A. In my opinion this statement reflects the Soviet view of the situation in Korea as of that time and also the Soviet view of the attitude of the Chinese People's Republic toward the situation in Korea.

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The Witness: This declaration quotes with ap-
6938 proval the assertion of the China Peace Committee that the United States Aggression in Korea was to be extended as aggression against China, and that to assist Korea was simply to protect China.

By Mr. Lenvin:

Q. Dr. Mosely, in your examination of the publications and other materials which have been issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitude of that Party toward the Government of North Korea prior to the outbreak of hostilities in Korea and to the views and attitude of that Party toward the participants in the hostilities in Korea? A. Yes, I have. Through its frequent pronouncements, appeals, and official statements, and through its official press, the Communist Party in the United States has repeatedly expressed its opinions, its interpretations and its recommendations of policy concerning the hostilities in Korea and has expressed its full support for the Government of North Korea and support of the position taken by Soviet policy during this struggle, as well as its approval of the participation of forces coming from China proper, and taking part in the struggle in Korea itself. In taking these positions the official press of the Communist Party in the United States has followed a line closely parallel to the position taken by the Soviet Government and the Soviet press.

6939 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 284 for identification—

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Q. —and direct your attention to an editorial entitled "Wall Street's War Against the Korean People," by Betty Gannett, and ask you whether you have ever read that article before.

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The Witness: Yes, I have read this article, which appeared in Political Affairs for August 1950, entitled "Wall Street's War Against the Korean People," subtitle: "An Editorial Article."

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Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Communist Party toward the situation in Korea as of that date? A. Yes, in my opinion it is an authoritative statement of the point of view and recommendations of policy of the Communist Party of the United States concerning the situation of that general time

in Korea. It supports the position taken by the Soviet
6940 Government in dealing with that question within the
United Nations and outside.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 285—

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Q. —the Sunday Worker for September 24, 1950, and direct your attention to an editorial entitled "The Message of Bombs," and ask you whether you have ever read that before.

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THE WITNESS: Yes, I have read this article which appeared in the Sunday Worker for September 24, 1950, page 5.

By MR. LENVIN:

Q. In your opinion, Dr. Mosely, is that editorial illustrative of the views and attitude of the Communist Party of the United States toward the situation in Korea on that date? A. Yes, in my opinion it is typical of the interpretations and recommendations presented by the official press of the Communist Party in the United States and is in close parallel to the expressions of the Soviet Press on that same problem at that general time.

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6941 Q. I show you, Dr. Mosely, what has been marked
as Petitioner's Exhibit for identification No. 286—

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Q. —which is an issue of Political Affairs for February 1949, and direct your attention to an article "The Peace Can Be Won," by Joseph Clark, and ask you if you have ever read that before. A. Yes, I have read this article by Mr. Clark at the time and since.

Q. In your opinion, noting especially the material on pages 21 and 22, does that article reflect the view of the Communist Party towards Korea as of that date?

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6942 The Witness: Yes, in my opinion Mr. Clark's analysis of the Korean situation is a typical example of the presentation made during that same general period by the Communist Party of the United States through its official publications and is directly parallel to the analysis presented in the Soviet official press.

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Q. Dr. Mosely, do you recall approximately the date when it was announced or publication was made in the press of the United States concerning the intervention of the Chinese forces in the Korean conflict? Or the entrance. I won't use the word "intervention," the entrance of the Chinese forces into the Korean conflict? A. Chinese Communist forces were first reported in combat in Korea during the last ten days of November 1950, approximately November 25.

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6943 Q. Dr. Mosely, I show you what has been marked for identification as Petitioner's Exhibit No. 287—

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Q. —which is the issue of the Daily Worker for June 26, 1950, and direct your attention to the editorial on page 1.

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Q. Have you read that editorial before? A. I have read this editorial on page 1 of the Daily Worker, June 26, 1950.

Q. In your opinion does that editorial reflect the view of the Communist Party toward the Korea situation as of that date? A. Yes, in my opinion this is a typical expression of the interpretation of events in Korea as presented by the Communist Party of the United States, and it parallels very closely the interpretations published by the official Soviet Press. 6944

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 288—

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Q. —which is the Daily Worker for June 27, 1950, and direct your attention to the editorial headed "Dulles—Triggerman Who Started War in Korea," and ask you whether you ever read that before.

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The Witness: Yes, I have read the editorial in the Daily Worker of June 27, 1950, page 1 and 7.

By Mr. Lenvin:

Q. In your opinion does that editorial reflect the view of the Communist Party toward the situation in Korea as of that date? A. Yes, in my opinion this is a typical statement of the position taken officially by the Communist Party of the United States on this question as of that time, and it is directly parallel to the interpretation published by the Soviet official press and by the official organ of the Cominform.

6945 Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 289—

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Q. —which is also from the Daily Worker for June 27, 1950, and I would like to direct your attention to the article entitled "Truman Maps Use of Army in Korea; Liberation Forces at Gates of Seoul," by Rob F. Hall, and ask you if you have read that before.

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Q. Confine it to the "Truman Maps Use of Army in Korea," story.

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The Witness: Yes, I have read the signed news dispatch by Mr. Rob F. Hall and published in the Daily Worker of June 29, 1950, pages 3 and 9.

By Mr. Lenvin:

Q. Dr. Mosely, on the date mentioned previously when it was announced in the Press of the United States that the Chinese forces had entered Korea, have you from 6946 your examinations of materials and publications emanating from the Soviet Union been able to arrive at any opinion as to what the views and attitudes of the Soviet Union were toward the entrance of the Chinese forces into the war in Korea? A. Yes, I have, on the basis of official Soviet statements and the constant stream of comments by the official Soviet press.

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Q. Dr. Mosely, I would like again to direct your attention to what has already been marked for identification as Petitioner's Exhibit No. 283, which is the New Times, No. 46, 1950, which contains the article "In defense of Korea" and ask you whether in your opinion that article reflects the attitude of the Soviet Union toward the entrance of the Chinese forces into the armed conflict in Korea.

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6947 The Witness: Yes, in my opinion this article entitled "In defense of Korea," in New Times, No. 46 for 1950, expresses strong Soviet approval of the urgings put forward by committees and other organizations in Communist China urging that China should defend itself in Korea against what it declared was the American intention to commit aggression against China itself. It declared that the Chinese volunteers, so called, in coming to the aid of the Korean people, were following a glorious tradition. It stated that this movement on the part of important elements in China, which it did not identify at that time as the Government of the so-called People's Democratic Republic of China, would be assisted by the committee in defense of world peace. It quoted with approval Chinese statements that helping Korea, meaning by that North Korea, was in China's own interest and was necessitated by the requirements of self-defense.

By Mr. Lenvin:

Q. In your examination of the publications and other materials issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that Party toward the entrance of the Chinese forces into the Korean conflict? A. Yes, I have. The official press of the Communist Party of the United
States commented frequently and made urgent
6948 recommendations of policy in connection with the
action of Chinese forces in Korea.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 290—

(The document referred to has been marked for identification Petitioner's Exhibit No. 290.)

Q. —which is the Daily Worker for Friday, November 17, 1950, and specifically direct your attention to an article entitled "Wall Street's aggression in China," by William Z. Foster, and ask you whether you have ever read that article before. A. Yes, I have read this article by Mr. Foster in the Daily Worker for November 17, 1950.

Q. In your opinion, Dr. Mosely, does that article reflect or is that article illustrative of the views of the Communist Party toward the matter of the entrance of the Chinese into the armed conflict in Korea? A. In my opinion this is a typical statement of the interpretation given to events and prospects in that part of the world by the Communist Party in the United States. It accused the Government of the United States of intending to conquer China proper. It stated it is determined to push its campaign of imperialist conquest into China proper. It accused the United States
of treating the hostilities in Korea as a springboard
6949 for the conquest of China. This, I might note, was
published prior to the first overt military action of the Chinese forces in Korea and it paralleled exactly the accusations which were being spread by the Soviet Press at that time, as well as by the Cominform Press.

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6963 **Manning Johnson** called as a witness on behalf of Petitioner, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

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BY MR. PAISLEY:

6975 Q. Do you know whether or not any minutes were kept of the meetings of the Central Committee when you were serving on it? A. Yes, complete records of the meetings of the Central Committee were kept. In fact, they had a number of stenographers who took down in shorthand everything that was said by all of the speakers during the entire meeting of the Central Committee. They had typewriters in the anteroom where the stenographers transcribed their shorthand and typed up the individual remarks of the speakers.

Q. The members receive copies of the minutes? A. Yes. Each member was given a copy only of what he said at the Central Committee meeting for the purpose of correcting any mistakes or making any additions to his 6976 remarks that he could not get in because of time limitations. He was not permitted to keep those minutes. He had to turn them in.

Q. Do you know what distribution was made of the minutes? A. The minutes of the Central Committee, like the minutes of all committees of the Party, are typed out in copies of five on onion skin paper—

MR. ABT: Copies with what?

MR. LAFOLLETTE: Copies of five on onion skin paper.

THE WITNESS: —on onion skin paper, and copies of the minutes are sent to Soviet Russia—

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BY MR. PAISLEY:

6978 Q. Mr. Johnson, how do you know that the minutes of the Central Committee went to Soviet Russia? A. I know from instructions that I received in the National Training School of the Communist Party and, sec-

6979 ondly, what I was told by the leaders of the National Committee and the Political Bureau of the Communist Party with regard to the procedure and handling of minutes. This was necessary because we were told that our advancement in the Communist Party depended upon the reflection of our work in the reports that were sent to Soviet Russia and that no positions of leadership in the Party held by any individual member could be held without the approval of the Communist International in Moscow.

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6981 Q. I believe you joined the Party at Buffalo? A. I did, in Buffalo, New York.

Q. How long did you remain there? A. From 1930 up until 1934, about the middle of 1934.

Q. Then what did you do? A. I was transferred by the Political Bureau of the Central Committee to the city
6982 of New York.

Q. Did you go to school somewhere? A. I went to the National Training School of the Communist Party in the City of New York in 1932.

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6988 Q. You were telling us about some of the instructors. Will you now continue? A. J. Peters was one of our instructors. He taught us with regard to the illegal and underground apparatus of the Party and how it functions and how it operates. We had Jack Stachel or Jacob Stachel, who taught us on trade unionism. We had a lecture, too, by William Z. Foster. We had B. D. Amis, who gave us lectures on the Negro question; Max Bedacht on fraternal organizations, language groups; lectures by Fred Brown, alias Alpi, Gilbert Green on the YCL,
6989 Communist work and activities among the American youth. We had some lectures by Rose Wortis. A. Moreau lectured to us on Communist infiltration of the Latin American countries.

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6990 Q. Did any of the teachers, leaders or instructors tell you why you where there? A. We were told by Abe Markoff at the time that the school opened in an indoctrination lecture that we were being trained to be professional revolutionists in the strictest sense of the word, that at the completion of our course we would become professional revolutionists, devoting our entire lives to the revolutionary cause, bringing about the Soviet form of Government in the United States and throughout the world.

Q. Just what were you told as to the aims and purposes of the Communist movement in this country? A. We were taught that the aims and objectives of the Communist Party in the United States is the overthrow of the Government of the United States and the establishment of the Soviet form of Government similar to the one that is in Russia at the present time.

Q. What, if anything, were you told about the position of Soviet Russia and the Communist Party of Soviet Russia in the world communist movement?

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6991 The Witness: We were taught that the Communist Party of the Soviet Union is the leading Party in world organization of Communism, that is, the Communist International; that the Communist Party of Soviet Russia, by virtue of the fact that it was the first Communist Party to achieve success in the overthrow of the capitalist, feudalistic government in Russia, were the indisputable leaders of the world Communist movement; that the Communist Party of Soviet Russia, under the leadership of V. I. Lenin, formed the Communist International, that is, the Communist Party of Soviet Russia formed Communist parties in countries throughout the world to work under the guidance, the leadership, and the control of the Communist Party of Russia to effect and bring about revolutions in every country throughout the world for the purpose of forming a world union of Socialist Soviet Republics, of which the USSR, that is, the Union of Socialist Soviet Republics is the prototype.

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6997 Q. On the subject of allegiance by Communist Party leaders, were you taught anything at this school that you attended on that subject? A. Yes, we were. We were taught that Soviet Russia is our fatherland, that is, it is the fatherland of all Communists, and that we do not owe allegiance to Washington but to Moscow.

Q. Was anything taught you about the duty of Communist Party members in the United States in the event of war between the United States and the Soviet Union?

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THE WITNESS: Yes, we were. We were taught that in the event of war between the United States and Soviet Russia it was the duty of every Communist to bring about the defeat of the Government of the United States and to secure the victory of the Soviet Red Army. In this connection we were given as reading material the article by a former member of the Central Committee of the Communist Party by the name of Wicks. We were told to read this particular article which was published in The Communist in the latter part of the 20's because it set
6998 forth clearly and succinctly the line of the Communist Party with regard to war between the Government of the United States and Soviet Russia. In addition to that, of course, it covered the general attitude of the Communists toward war.

MR. PAISLEY: I show you what has been marked Petitioner's Exhibit 292, which is an issue of The Communist, July 1929, the first article of which is an article by H. M. Wicks. I hand you one of the original issues of The Communist for that month. Do you recognize the Wicks article?

THE WITNESS: Yes, I do.

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Q. That Wicks offer deals with this subject, does it not? A. It does. It deals specifically with regard to what each Communist must do in the event such a war broke out.

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6999 Mr. LaFollette: The objection is overruled, and the document may be received as Petitioner's Exhibit No. 292.

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Q. I notice that this article deals with the position of the Communist Party in the matter of strikes in this country also. Will you tell the Board briefly what students were taught in that school concerning the policy of the Communist Party as to strikes in industry in this country. A. Yes. We were taught that it was important for the Communist Party to sink its roots deep in the basic and key industries of the nation, particularly railroads, steel, mining, communications, transportation generally, 7000 including the maritime, the automobile industry, the aircraft and chemical industries, et cetera, for the purpose of placing the Party in a position through its antiwar committees formed in these industries to cripple and paralyze these industries in the event of war, that even if these strikes were crushed by the Government, the disruption or delay would objectively support the Soviet Government and its war machine.

Q. What if the demands of the workers in the particular industry were met in the strike, were you given any instructions as to what the attitude should be of the Communists? A. Our attitude was that we would call strikes ostensibly around the issue of wages, hours, and working conditions, but our objective would not be limited by the making of economic demands. Our objective would be a political objective. But in order to involve the majority of the workers in a given action that had as its objective the crippling of the war machine of the Government of the United States, such tactics and methods of drawing the workers into a given strike or stoppage, et cetera, were to be used by the Party. In other words, while we generally agitate the workers on the issue of opposition to the war, at the same time we tie them up with the basic economic grievances of the workers, raising such demands that we know the management of a given industry would refuse to grant, and that would bring about a prolonged 7001 conflict between management and the employees; in the course of that, constantly to hammer away on the issue of defense of the Soviet Union and opposition to Wall Street and Wall Street's Government of warmongers.

Q. You were in this school in the depths of the depression, were you not, about 1932? A. That is right.

Q. Was anything taught at that school concerning the functioning of Communists in the event of a revolutionary movement in this country? A. Yes. We were taught at that time that it was our duty to take full advantage of the present, that is, the then crisis of capitalism in America, to rally the masses of the workers for its revolutionary overthrow. It was explained to us at the time, further, that it would be impossible for us during that crisis to overthrow the government of the United States because of the Communist Party's weak contacts with the masses, that all we could hope to do was to exploit the crisis at that time to the utmost to build the Party and to strengthen the party's ties and connections with the workers, the farmers, and the Negro people and the foreign-born of this nation. They also stated that it would be precisely during a far-reaching and deep-going crisis of the nature that we went through at that particular time that would afford the opportunity for the Communists if they were fully prepared to use the issue of the crisis to bring about a critical 7002 political situation in so far as the American Government was concerned and to strike out for political power.

Q. Was this question of possible revolution in this country the subject of lectures in this school? A. Yes. The subject of revolutions was the subject of discussion in the school.

Q. Was the role of the Red Army ever mentioned in that possible situation? A. Yes, it was mentioned. It was mentioned in this respect, that because of the tremendous strength of American capitalism, it might be extremely difficult, if not impossible for the Communist Party to overthrow the Government of the United States of itself but that it was the duty of the Communists to build themselves up to that position where they could challenge the power of Wall Street and this Government, and that the Red Army would not hesitate to throw its weight into the scales to tip the scales of the conflict in favor of the Communist revolutionists in America. That was one phase. The other phase was that in the midst of World War, when masses of the workers have arms in their possession, the Communist cells in the Armed Forces, that is, in the Air Force, the Navy, the Marine Corps, et cetera, would agitate and work for the demoralization of the Armed Forces of the Government of the United States, to urge them and convince them to refuse to fight against the Soviet 7003 Red Army and go over on the side of the Red Army and use their guns against the Government of the United States and all of the forces that remained loyal to it.

Q. After you were indoctrinated in the manner that you have just testified, did you later on teach yourself? A. In lectures, speeches, yes. What I learned in that school was the policy of the Party throughout the time that I was there. It was further developed and elaborated upon by the leaders of the Party, such as William Z. Foster, Earl Browder, Max Bedacht, Alexander Bittelman, Jack Stachel, and others at meetings of the National Committee and at conventions of the Party when there was discussion of the general world situation and the question of peace or war. This was in connection also with the work of the various so-called peace organizations of the Party, like the—

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7006 Q. Just in general, what were you taught on the subject?

Mr. LaFollette: At the national training school.

Mr. Paisley: Yes.

The Witness: At the national training school we were taught that the Negro people in America constitute a national minority in the same sense that various national and racial groups in Soviet Russia were considered by Lenin as national minorities, and as a national minority they were entitled to the right of self-determination. The right

7007 of self-determination pre-supposes that a racial group is a national minority in accordance with the definition of a nation as set forth by V. I. Lenin, that is, that they must have a common language, common territory, and historic traditions reflecting themselves in a common culture, et cetera. This definition, according to the instructions we received, applied to the Negroes in America. Their common territory was considered the black belt in the South, that is, the old cotton belt, which begins on the eastern shore of Maryland and extends for about 219 or more counties, through nine states, driving a wedge into Texas. In addition to this being the common territory, they considered English the common language, and its common culture is reflected in the Negro spirituals, Negro literature, Negro art, and so forth and so on. Its common economic ties are reflected in the general economy that prevails in the black belt, the share cropping system, the plantation system that prevails. That they, as a result of having all of these things which Lenin pointed out are the things that are necessary to characterize a racial group, they were entitled to the right of self-determination. By the right of self-determination, it was explained to us, the Negroes there have a right to rebel against the constituted authority in that particular area and to unite that vast area into a single political unit, an autonomous or independent state or government. That is as far as the black belt is concerned.

7008 Generally we were to work for equal rights for Negroes throughout all parts of the United States. "Equal rights," they taught us, expressed almost all of the desires and aspirations of the Negroes generally, but specifically for the black belt it was rebellion and civil war to form an independent and autonomous Soviet Republic. That this movement toward the establishment of this autonomous Negro Republic should be guided and steered in such a way by the Negro Communists activity in the movement so that it would take place simultaneous with the general proletariat or Communist revolution in America.

Mr. Paisley: I have just one more question on that subject.

By Mr. Paisley:

Q. You say you lectured on this subject in other schools. Did you teach the same thing? A. Yes, I did. I not only taught it in lectures at the school and in lectures before Party membership and study groups in the Party, but also in speeches that I delivered from time to time in various cities.

Mr. LaFollette: Who taught this course at the national training school?

The Witness: We had as our instructor at that time a Negro member of the Central Committee of the Communist Party by the name of B. D. Amis. We used as subject
matter the Theses and Resolutions of the Sixth
7009 World Congress, the 13th Plenum of the Executive
Committee of the Communist International, and articles written by Harry Haywood, who was a member of the Central Committee and member of the Political Bureau, by James Allen, and also some articles written by B. D. Amis and James W. Ford. James W. Ford was Communist Candidate for Vice President of the United States. He was also a member of the Central Committee and the Political Bureau of the Communist Party.

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7012 Q. Did any CI representatives ever come out to your district?

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The Witness: Yes, I had a Communist International representative in my district while I was district organizer.

By **Mr. Paisley**:

Q. Do you know his name? A. Yes. Gerhard Eisler was in my district when I was district organizer.

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7021 Q. I said prior to this convention in 1936 when you were elected to the Central Committee, had you met Gerhard Eisler? A. Yes, I had.

Q. Did he attend that convention? A. I don't think he was at the 1936 convention. I am not sure. About that time he left the country for Spain.

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7022 The Witness: The selection of persons for membership on the National Committee is based upon an old established procedure in the Communist Party as set forth in the constitution and by-laws of the Communist International. No person can hold any leading position in the Communist Party without the approval of the Communist International, and no person can resign from that position of leadership in the Party without the approval of the Communist International. So any position of leadership that a person holds in the Communist Party is a gift of the Party, and that position belongs to the Party and not to the individual.

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7040 Q. I will go to the subject of the Daily Worker. Were you ever in the offices of the Daily Worker? A. Yes, I was.

Q. Where was that office? A. The Daily Worker office was in the Communist Party building at 50 East 13th Street.

Q. What opportunity, if any, did you have to learn of its policies and how it operates? A. The manager of the Daily Worker was either a member of the National Committee—

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7041 The Witness: Yes. I was stating that the editor of the Daily Worker was either a member of the

Central Committee or the National Committee of the Communist Party and he was invited to the meetings of the National Committee of the Communist Party and the Political Bureau, and at meetings of the National Committee and the Political Bureau reports and discussions on the reports with regard to the Daily Worker were given with regard to its policy, its activities, the raising of finances and so forth and so on, for its support.

By Mr. Paisley:

Q. Do you know how it was financed? A. The Daily Worker ran financial drives from time to time. The Daily Worker also sold subscriptions, six months, a year, and week-end editions. In addition to that the expenses of operation were cut down by the supplying of international news to the Daily Worker through what was known as the International press correspondents, or the Imprecord. The Imprecord was somewhat like the Associate Press and the International Press. The Imprecord was a Communist controlled press service that supplied the Daily Worker constantly with news of what was transpiring throughout the world.

Q. What authority, if any, did the Executive Committee or Central Committee of the Communist Party 7042 undertake to exercise over the Daily Worker, and its editorial policies? A. The Central Committee and the Political Bureau of the Communist Party had absolute control over the editorial policy of the Daily Worker. The Daily Worker editor and other associated editors submitted their copy to the Political Bureau and Central Committee representatives, who went over it and discussed the policy to make sure that it carried and reflected the line and policy of the Communist Party.

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7048 Q. Do you recall any conversation with any party leader as to the extent to which students were sent over there? A. From conversations with Markoff, Peters, Stachel, Browder and others, there were approximately several hundred from 1928 up until 1935 or '36, who had gone over to the Lenin Institute and other schools of higher learning in Russia.

Q. Did the subject ever come up while you were attending any meeting of the Political Bureau? A. Yes, it did come up. Abraham Markoff, who was responsible to the Central Committee of the Communist Party for the training of Communist Party leaders, the training of professional revolutionists, would give from time to time a report to the Central or National Committee meeting with regard to how many communists had been trained for leadership in the section, district, regional, national, and international schools. Later on these reports were given by Mendel, who was placed in charge of the educational work and activities of the Party after the death of Abraham Markoff.

Q. Can you give the Board the names of any students that you know who attended that school? A. Yes, I can.

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7049 Q. Give us the names of any individuals that you know who went over there and studied at that school.

7050 A. Harry Haywood, a member of the national Committee and Political Bureau, an authority and theoretician on the Negro question in America; Otto Hall, also a Negro; Odell Nowell; Charles White; Leonard Patterson; Timothy Holmes; Steve Nelson; William L. Patterson; Rudy Baker; Hutch Hutchison; Albert Steel; Wilbert Parkhill—

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Q. When you were on the Central Committee, what contact, if any, was maintained between the American Communist Party and Soviet Russia? A. When I was a member of the Central Committee the contact was maintained through the representative of the Communist International and through the transmission of minutes of all committee meetings both in the higher and the lower echelons of leadership. This was transmitted through the resident

OGPU agent, who in turn was responsible for the transmission of these minutes to Moscow.

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7052 Q. When you were on the Central Committee did the Communist Party in this country maintain a representative at the Communist International over in Moscow? A. They had representatives of the American Party on the Communist International. William Z. Foster was a member of the Executive Committee of the Communist International and also a member of the Presidium of the Communist International. Earl Browder was also a member of the Executive Committee of the Communist International. Gilbert Green was a member of the Executive Committee of the Communist International and he was also a member of the Secretariat of the YCI, the Young Communist International, which also had headquarters in Moscow, and it is the youth section of the World Communist Movement. Alexander Bittelman was for a time on the Executive Committee of the Communist International. In addition to these representatives of the American Party serving on the Executive Committee and the Presidium of the Communist International, of course we had leaders of the Party who worked in both the Comintern and the Profintern. The Comintern is short for Communist International, and Profintern is short for the Red
7053 International Labor Unions. There were representatives of the American Party on both of these groups.

Q. As to representatives of the Communist International over in this country, do you have any knowledge as to whether or not the Communist International maintained any representatives in this country? A. Yes. The Communist International maintains representatives in this country and in all countries where there exists a Communist Party.

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7054 Q. Was there more than one type of Communist International Representative? A. Yes, there were different types of Communist representatives.

Q. How many? A. There was the Communist International representative. That is one. Then they had the Com-

munist International technical representatives. They were individuals who were specially trained and skilled in specific phases of the Communist Work and Communist acti-
7055 vities. The third type was the resident OGPU agents or Soviet secret police agents.

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7063 Q. Will you tell us just what authority the different types had and exercised?

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7068 THE WITNESS: The speeches of Stalin were published in a pamphlet, and this pamphlet deals concretely with this specific situation in the American Party in relation to Pepper.

In connection with the discussion in the school we were told that the authority and the power of the Communist International representatives supersedes that of any leader in the American Party, that they are the direct representatives of the Communist International, that they are not permitted to take sides or play favorites as far as the leaders are concerned, that their responsibility is to see to it that the Moscow Party line is carried out by the American Party.

MR. LAFOLLETTE: Who taught this course?

THE WITNESS: J. Peters lectured on that, and also Abe Markoff.

The Communist International representative is the complete boss over the policy of the Communist Party of the United States.

7069 In 1933 when I was district organizer in the Buffalo District, I met Gerhard Eisler. Gerhard Eisler at that time was introduced to me under the name of Brown. Later, at a meeting of the National Committee, I met him. At that time he was using the alias of Edwards. Gerhard Eisler was a representative of the Communist International to the American Party.

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THE WITNESS: He spoke at meetings of the National Committee of the Communist Party. His word was law.

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THE WITNESS: It was shortly after my meeting with Gerhard Eisler in Buffalo and at subsequent meetings that he attended in New York that I came to the knowledge of his position and standing in the American Party.

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7073 Q. How many times did you see this man, approximately? A. The first time I saw him was in 1933, and
7074 subsequently I should say altogether I saw him at a
number of meetings.

Q. What kind of meetings? A. Meetings of the National Committee of the Communist Party in 1933, 1934, and part of 1935.

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7082 Q. When was the last time you saw him? A. The last time I saw Gerhard Eisler, that is personally, I saw him at the trial in Washington in 1947.

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7083 Q. When you were district organizer will you tell us whether any records of membership were kept and if so, how they were kept?

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THE WITNESS: We kept the membership records
7084 in a secret place. We used the home of a person that
was either a secret member of the Party or a very
close sympathizer, who never attended meetings, who was not known except to a very few people in the top as being a party member, who was instructed never to keep any Communist Party literature or anything of that nature around the house. In other words, that particular person that was used to secrete that material was a person that one would not in the least suspect of being identified with the Communist Party.

By **Mr. Paisley:**

Q. Were those records open to inspection by any one who might want to see them? A. The records were not open to inspection by anyone except the District Organizer or a representative of the Political Bureau so designated that authority by the Political Bureau of the Communist Party.

Q. During your membership in the Party was there any policy with reference to whether or not a member of the Party could admit his membership?

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The Witness: Yes. The Party policy was that no member was permitted to publicly reveal his membership in the Party without the authorization of the leadership of the Party.

Mr. LaFollette: Where did you learn this?

7085 **The Witness:** I learned that when I first became a member, and secondly when I was a student at the National Training School where it was further developed and elaborated upon. That was told me in connection with the advice of the Party leaders at that time that instead of using my real name I should use an alias.

Mr. LaFollette: Did you use an alias?

The Witness: No, I did not use an alias. I said at the time I preferred to use my own name in preference to an alias. They told me that the purpose of the use of the alias was to protect me in case the place where I was staying was raided by the police and my Party membership book was found, it would not be made out in my name but would be made out in another name, and I could always explain to the police or any other law enforcement agency that someone who lived there formerly left it or I had found it or some other such excuse. In that way the burden of proof of that book being my personal Party membership book would rest upon the government.

By Mr. Paisley:

Q. Did you know others who used aliases? A. Yes, I do.

Q. About these minutes, to which counsel made an objection a moment ago, were they open to inspection by anyone? A. No. The minutes of the Committees of the Party that were put in the secret files were not available 7086 or open to inspection by anyone except myself, and as I said before, representatives so designated by the political bureau to inspect them.

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7087 Q. Have you ever received any instructions as to what methods and tactics the Party would adopt in the event the Party decided to go underground?

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The Witness: Yes, I did.

Q. Will you explain to the Board what the instructions were and what you did about it, if anything?

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The Witness: The first instructions that I received on the illegal apparatus and the illegal operation of that 7088 apparatus was when I read the mimeographed confidential document written by Lazar Kaganovich, member of the Political Bureau of the Communist Party of the Soviet Union. That pamphlet went into detail explaining the structure of the apparatus. It dealt with the establishment of a parallel apparatus similar to the open apparatus, that is, an underground Central Committee, political bureau, underground departments of the central committee, underground district committees, underground section committees. That was number one. Number two, the division of the Communist nuclei into smaller organizations called cells, these cells to be limited to not more than five members, with one of the members selected as captain of the cell, the captain of the cell to be responsible for the calling of meetings, the arranging of meetings and directing all of the affairs of the cell, keeping the members in good standing, all membership books to be turned in, to be kept in a secret place, members to destroy all Communist Party literature, and so forth and so on, that they might have in their possession, that is, in the place where they lived.

The restriction as to the size of the cell was for security reasons, because a small group could meet with a greater degree of security than a larger group. The establishment of illegal printing plants in the various cities and key industrial areas where the printed material of the 7089 Party could be gotten out with the maximum amount of security and safety. The establishment of other means of getting out printed material such as through the establishment of places equipped with the mimeograph machines. It also dealt with the question of shaking off those individuals of the law enforcement agencies who were keeping known Communists under surveillance. It dealt at length telling how to shake off these elements who were shadowing Communists. There were suggestions based upon the experiences of the old Bolsheviks under the Czar.

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THE WITNESS: No. The document also dealt with the subject of using mail drops for the receipt of highly secret confidential messages that passed between the upper echelons and the lower echelons of the Party. The question of using the mails in order to circumvent postal inspection. It dealt with the use of secret codes in connection with the transmission of secret information as a means of lining up the higher echelons with the lower echelons of the Party.

The work of Communist Party cells in the basic and key industries of the nation, the work of Communist Party fractions within trade unions, civic, fraternal and other organizations. Also it outlined some of the techniques and methods developed by the old Bolsheviks in distri-7090 bution of literature under conditions of suppression and repression and illegality.

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7092 THE WITNESS: J. Peters was instructor at the school on this subject matter, and the lectures that he delivered were based upon the material contained in the document written by Lazar M. Kaganovich.

Q. Were these instructions given to you by Peters at that school that you attended, that secret school? A. Yes, that is correct.

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7093 Q. You testified, did you not, that it was a secret school? A. Yes, sir.

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Q. Were any steps taken in your district, District 4—

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Q. —to implement this underground apparatus? Were active steps taken?

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THE WITNESS: In the Buffalo District I was instructed to purchase mimeograph machines to be put in a secret 7094 place for the purpose of getting out literature in cases of emergency, that is, in case there was a legal move to outlaw or suppress the Party and the Party activities. I was also instructed to get the various sections of the Communist Party in the district to do likewise and to indoctrinate the leadership of the Party for just such an emergency.

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7097 Q. Did the Communist Party, while you were active in it, have any policy with reference to disclosing or resisting efforts to obtain information as to its records, other than membership lists? A. The Communist Party policy during the time that I was a member, in connection with the minutes of the meetings, was as follows: The only authorization that we had to give out copies of the minutes of meetings of committees in our district was the transmission of five copies of all minutes to the Central

7098 Office of the Communist Party. The purpose of the five copies, as was explained to me at the time—

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The Witness: I was told in connection with the five copies of all minutes, to be sent to the Central Committee of the Communist Party, that it was for the purpose of supplying the Communist International and certain of its departments with the activities of the Party leaders and members in a given district, and that it was used for the evaluation of the work of the Communist Party of the United States of America.

Mr. LaFollette: Who told you this and when?

The Witness: William Weiner, Earl Browder, Jack Stachel, J. Peters and others when I became district organizer of the Communist Party in Buffalo.

Mr. LaFollette: Where did these conversations take place, in New York or Buffalo?

The Witness: In New York City, at the national office of the Party.

Apart from the supplying of the center and the Communist International with minutes, no one else out-
7099 side of myself or my successor as district organizer had any access to the minutes of any meeting of any committee of the Communist Party in District No. 4.

As far as any outsider of the Party, definitely out. No minutes would be given to any members of the Party upon request by such member, unless a question arose involving the said member in some political controversy in which it was necessary to produce the minutes in order to affirm or contradict some particular statement that was made in a committee. In other words, apart from what I have stated, the minutes of all meetings of all committees were absolutely and strictly secret and confidential.

By Mr. Paisley:

Q. Were the meetings of the Party open to the Public?

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7100 A. The Communist Party meetings of the National Committee, the various commissions of the Party such as the trade union commission, the agrarian commission, the women's commission, the organization commission, the agitation and propaganda commission, the state committees, the state bureaus, the district committees, the section committees, the Communist Party fractions, the Communist Party shop nuclei, the Communist Party street nuclei, were all closed meetings, restricted only to
7101 members of the Communist Party. There was only one exception to that rule, and that exception was granted by a higher committee of the Party. Only on occasions would they permit a street unit to have an open unit meeting, and at that open unit meeting they would invite a few non-party people who were prospective recruits for the Party. They would permit them to do that occasionally, and they would have to get a decision of a higher committee in order to do so. That is the only instance that I know where the Party permits a non-party person to attend any of the meetings of the Party.

Q. Will you tell the Board what the purpose of the secret methods which you have described here was, if you know?

THE WITNESS: The purpose of this secrecy was to prevent the law enforcement agencies and, as the Communists spoke of them, agents of the capitalist class, the capitalists or the fascists, the enemies of Communism from knowing what was decided on at meetings of the Communist Party, number one, and number two, to keep them from knowing who are the members of the Communist Party and where they live, work and operate.

By MR. PAISLEY:

Q. Why did the Party not want these so-called
7102 enemies of the Communist Party to know these things?

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Q. In other words, what was back of their desire that these individuals not know about their operations? A. Because it destroys the conspiratorial nature of the Party movement itself.

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Mr. LaFollette: The objection is overruled.

On this last statement, who said anything to you about the purpose?

The Witness: I was taught in the National Training School in connection with my studies of the speeches of Stalin on the American Communist Party, and you will find in Stalin's speech where he speaks of the danger of exposing the conspiratorial nature of the Communist Party activities.

Mr. LaFollette: You studied that in the school?

The Witness: That is right in Stalin's speeches 7103 on the American Communist Party you will find where Stalin himself states it.

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7118 Q. I will ask you this question, then, Mr. Johnson: Do you know of any instance during your membership in the Communist Party of the United States in which the Communist Party of the United States opposed any decision of the Communist International?

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The Witness: During the time that I was in the Communist Party I do not know of one single instance where the Communist Party of the United States has opposed a decision of the Communist International.

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7122 Q. Subsequent to that time did the Party in the Daily Worker advise the members that you had been expelled? A. I was told that such an article was written in the Daily Worker.

Q. Did you ever see it? A. I only saw it a short 7123 time ago.

Q. I show you a copy of the Daily Worker of August 16, 1940, a copy of which has been marked Petitioner's Exhibit 294—

(The document referred to was marked for identification Petitioner's Exhibit No. 294.)

By Mr. Paisley:

Q. —and I call your attention to the item in the left-hand column headed "Workers' Enemies Exposed." Is that the article that you said you read? A. Yes, this is the article that I saw only recently.

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7127 Cross Examination

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7130 Q. Haven't you admitted under oath that you have
7131 testified falsely in some prior proceedings? A. I stated at the time that I testified in the Steve Nelson case in Pittsburgh that when I was asked if I had stated in prior testimony that I worked as an undercover agent for the FBI, I stated in reply to that question that I did not answer that question to the affirmative when asked if I had worked for the FBI because of the fact that during the time I was sworn to secrecy by the Government with regard to that particular phase of the work, and it was only about two weeks or so before I testified in Pittsburgh that the FBI told me that it was not necessary any longer to keep the fact that I was a former undercover agent of the FBI a secret, that I was free to state publicly my past connections and services to the FBI. That was the only instance that I recall in all of my testimony when that sort of question was raised, and I stated there at the time that I was sworn by secrecy at that time not to reveal that or the methods and operations of undercover agents for the FBI. The FBI released me as far as stating my past connections with the FBI, but it did not release me from the secrecy with regard to the methods and operations of undercover agents of the FBI. I so stated that in Pittsburgh and I stated it under oath.

Q. Weren't you asked these questions in that connection in the Pittsburgh case, in the Nelson case, page 4545:

"Do you remember testifying here yesterday that
7132 you didn't tell the whole truth in the International
Workers Order trial in New York before the Supreme
Court? "Answer: Yes, that is true."

Were you asked that question and did you make that answer?

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7133 The Witness: I don't know whether—I think that
that question has been taken out of the text of the
testimony. I think the question that you are reading refers to a question that was asked me by the counsel for the IWO at the IWO trial, if I had been in contact with or worked for some agency of the Federal Government, and I stated at that particular time, "No," because I was under oath not to reveal the fact that I was connected as an undercover agent with the FBI. That is what he is referring to there.

By Mr. Marcantonio:

Q. I am not asking you about the questions asked you at the IWO trial. Do you recall Mr. McTernan? A. Yes. He asked me that question in connection with my testimony on that subject matter at the IWO trial.

Q. You remember being asked this question and making the answer that I have just read to you at the Pittsburgh Trial? A. If it was in connection with that, yes, subject matter.

Q. Then were you asked this question:

7134 "Question: You didn't tell the whole truth in that
proceeding because of your instructions from the
FBI?"

And did you make this answer: "Yes, I did state that."

"Question: And you were under oath to tell the truth, the whole truth, and nothing but the truth in that case, too, weren't you?"

And you said "Yes."

Is that correct? A. If the record shows that, that was my answer.

Q. Is there any doubt that that was your answer? A. I presume you are reading from the record.

Q. I am reading from the record, but I am asking you do you recall being asked that question and making that answer. A. Yes, I recall that question and that answer.

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Q. Do you recall being asked these questions and making these answers, page 4529, by Mr. McTernan:

"Question: You testified as a Government witness before the United States Department of Justice, Immigration and Naturalization Service, in the case of one Nat Yanish at San Francisco, California, on February 26 and March 7135 1, 1948, did you not?

"Answer: The Nat Yanish case was in 1947.

"Question: Didn't you testify in 1948?

"Answer: Yes."

Do you recall being asked those questions and making those answers? A. Yes.

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7144 Q. Mr. Witness, I am going to show you the following questions and answers, and in order to save time, Mr. Paisley, we will have these questions and answers read into the record and the witness can say whether or not he was asked those questions. You look them over and then you can say whether or not you were asked those questions and whether you made those answers.

7145 "Question: You are not answering my question. That answer you gave in the Yanish case was not the truth.

"Answer: It was the truth so far as I feel that I had made a prior commitment which involved the security of my Government, and in view of the fact that I feel that I was perfectly justified in maintaining the confidence that the FBI had placed in me.

"Question: Do you regard your obligation to tell the truth when you take an oath—

"Answer: I—

"Question: Just a minute. I want to finish this question and I would like you to wait until I finish it so you will know what it is you are answering. Do you regard your oath to tell the truth in any proceeding in which you appear as a witness to be qualified and limited by your commitments to the FBI?

"Answer: I feel this way, counsel—

"Question: Would you answer my question?"

Then there was colloquy between the attorneys and the court and then the question was read as follows:

"Question: Do you regard your oath to tell the truth in any proceeding in which you appear as a witness to be qualified and limited by your commitments to the FBI? Answer that yes or no.

"Answer: Yes, with a reservation.

7146 "Question: And you took that oath—

"Answer: Just a minute."

Then there is more colloquy between the court and counsel. Then:

"Answer: My reservation precisely is this, that the security of our nation—"

Do you follow me? A. Yes.

Q. (continuing)

"—that the security of our nation requires that the utmost secrecy be maintained with regard to techniques and methods of operation of the Federal Bureau of Investigation, the organizations that are under investigation, the individuals that are under investigation, and for that reason I feel that my promise to the FBI to maintain that secrecy and that confidence is not in the least a violation of any oath that I have taken here; and if counsel wants to consider the fact that I did not reveal the fact that I had been working for the FBI, which would have been a betrayal of my trust to the FBI at that time, as lying under oath, then let counsel make the most of it.

"Question: Mr. Johnson, in short—"

Then Mr. McTernan and the Court have a colloquy.

"Question: Now, in short, Mr. Johnson, if the FBI tells you not to disclose a fact in the course of your testi-
7147 mony which you are called upon in your testimony to disclose, you will not disclose it; is that right?

"Answer: I would not under any conceivable conditions.

"Question: And if the FBI wants you to lie about something in your testimony when you are asked a question, you will do that also; is that right?

"Answer: The FBI has never on any occasion asked me to lie about anything. The only thing the FBI instructed me to do, not to reveal to enemies of this Government the techniques and methods of operation.

"Question: When you were testifying in the Yanish case you were testifying before a tribunal of the United States Government, weren't you?

"Answer: Beg pardon.

"Question: When you were testifying in the Yanish case you were testifying before a tribunal of the United States Government, weren't you?

"Answer: That is correct.

"Question: And when you said that you had not filed any statement, you were telling a lie, weren't you?

"Answer: If you want to call it that, counsel, you may.

"Question: And you were telling that lie because of your instructions from the FBI, weren't you?

"Answer: I was carrying out the oath and obligations—

"Question: Will you answer my question?

7148 "Answer: I will if you will permit me, counsel. Don't try to put words in my mouth.

"Question: I would rather have an answer than a speech for a change, Mr. Johnson."

There was an objection, then:

"Answer: I was carrying out, counsel, a prior sworn oath that I would not reveal certain information without authorization, and I have maintained that oath.

"Question: Even to the point of lying?"

There was colloquy.

"By Mr. McTernan:

"Question: Is that right?

"Answer: I have maintained that oath and that promise, and under no conceivable conditions will I retreat from it unless I am given the full authorization and clearance by the FBI.

"Question: In other words, you will tell a lie under oath in a court of law rather than run counter to your instructions from the FBI; is that right?

"Answer: If the interests of my Government are at stake. In the face of enemies at home and abroad, if maintaining secrecy of the techniques and methods of operation 7149 of the FBI, who have the responsibility of the protection of our people, I say I will do it, and I will do it a thousand times.

"Question: Under oath?

"Answer: Under oath.

"Question: In a court of law?

"Answer: Yes.

"Question: Before a jury of your peers you will lie?

"Answer: I will do it for the security of this Government when I know that you, counsel, are interested in knowing the techniques of the FBI so that the criminal Communist aliens can use them in order to prevent the effective work of the FBI."

Do you recall being asked these questions and making those answers? A. That is correct.

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7173 Mr. Marcantonio: At this point the Government stipulates that the witness testified in the case of the People v. Nelson and testified as appears in the transcript of that case on pages 4654 to 4685 inclusive, commencing at the bottom of page 4654 with the question by Mr. McTernan, "Now this National Training School course," and so forth, down to the answer "yes" in the middle of page 4685.

Mr. Paisley: Yes, and beginning on page—

Mr. Marcantonio: I am going to ask preliminary questions on the other one.

Now, Mr. Chairman, pursuant to that stipulation at this point in the record it is stipulated that these questions and answers as they appear in this transcript will be reproduced.

Mr. LaFollette: And does the stipulation include that the witness was asked the questions there appearing and gave the answers as they so appear?

Mr. Marcantonio: Yes.

Mr. LaFollette: All right.

(The portion of the Witness' testimony referred to, pages 4654 to 4685 of the Nelson case follows:)

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7186 Q. Now, referring back to my earlier question concerning the ultimate objective of the Communist Party being to assist in bringing about an economic system known as Socialism, I will ask you whether you were taught that it was in connection with bringing about Socialism that the word 'overthrow' was used in your reading and discussion? A. It was used. The word 'overthrow' was used in connection with the word 'Socialism', yes, it was. It can be found in a number of books and documents used in that sense.

Q. I am not sure your answer completely covers the question. Isn't it true that in your instructions the word 'overthrow' was used in relation to the process of bringing about Socialism or a Socialistic form of society? A. Well, the word 'overthrow' was used in the sense that the bourgeois capitalist system of government would be overthrown and a system of Socialism established. That is the sense in which it was used in my study and according to my best recollection.

7187 Q. I refer again to page 188 of your testimony in the Yanish case. I ask you if these questions were put to you and if you gave these answers:

'Q—I asked you if it was not the ultimate objective of the Communist Party to assist in bringing about a system of economic society which is known as Socialism? 'A—Yes.

'Q—Correct? 'A—Yes.

'Q—And that is what you were taught, isn't it? 'A—I was taught that it was to bring about a system of Socialism, yes, that is correct.

'Q—And it is in that connection that the use of the word "overthrow" appears or appeared in your teachings and in your discussions. Isn't that right? That is, an overthrow of the capitalist system of economic society? 'A—That is correct.'

Did you make those answers to those questions? A. If those questions were asked me and you are reading from the record, I would say yes.

Q. And those answers were correct at the time you gave them, weren't they? A. They were correct at that time and they are correct now.

7188 Q. Fine. Now, in your instructions in the Communist Party the word 'overthrow' was used to mean a basic and fundamental change in the economic system. Isn't that right? A. The word 'overthrow' according to the way that I was taught, meant the complete destruction of the present system of society by a revolutionary change, by the revolutionary destruction of all the governmental forms, a drastic and fundamental change in the economic, social and political structure of the entire nation and its reorganization along the line of a dictatorship of the proletariat.

Q. Now, Mr. Johnson, referring to page 187 of your testimony in the Yanish case, March 1, 1948, I will ask you if these questions were put to you and you gave these answers:

'Q—Isn't it true that the word "overthrow" in the studies that you made from the literature that was made available to you in your Training School—isn't it true that the use of the word "overthrow" was confined to the idea of a radical change in the economical system? 'A—basic and fundamental change.

7189 'Q—Isn't that correct? 'A—A basic and fundamental change, I would say.'

Did you make those answers? A. Yes.

Q. Were they correct at the time you gave them? A. That is correct.

Q. And they are correct now, aren't they? A. Yes.

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7192 Q. And you were taught, were you not, that the political understanding of the people, as we have used this phrase in the last few questions, meant, in short, their awareness that the ills of capitalism could be finally and completely solved only by a transition to
7193 Socialism? A. No. We were taught that the only way that the problems of the mass of the people could be finally solved was by the overthrow, revolutionary overthrow, of the capitalist system and the establishment of a Soviet form of Government.

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7197 Q. And you were taught, were you, Mr. Johnson, that a small group like the Communist Party, not having the support of the majority of the people, would attempt to obtain political power? Let me rephrase that somewhat, because obviously all efforts are efforts to obtain political power after trying to convince people of a program. You were not taught that a small group, such as the Communist Party was, when you were a member of it, not having the support of a majority of the people, would attempt to bring about a revolution, were you? A. We were taught that the Communist Party would not attempt a revolution in the United States unless it was in a position to win it, that is, to carry it through successfully.

Q. Including having the support of the majority
7198 of the people? A. Yes.

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7201 Q. We will just go back a moment. Then it was, was it not, a process of education through political experience? A. Through a process of education, through the involvement of people in daily struggles, rising higher and higher through political understanding and through political consciousness to the degree that they will accept the leadership of the Communist Party; and in attaining such a high point by the Communist Party they could carry through successfully a change in the existing form of government through the medium of revolution.

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7202 Q. All right. Weren't you taught that a revolution involving an effort to bring about this basic and fundamental change we have been talking about would occur only at a time of deep economic crisis? A. Yes.

Q. You were not, while you were a member of the Communist Party, taught anything concrete or practical about seizing power in the United States; your discussion was on a purely theoretical basis, wasn't it? A. In the school it was on a theoretical level, that's true, and it was based on the practical revolutionary experiences of the Bolshevik Party of Russia, the lessons of the French revolution. In short, it was based primarily upon the accumulative revolutionary experiences of the ages, and this revolutionary experience served as a sort of guide in our work to carry through revolution in this country.

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7204 Q. You were taught that the Communist Party intended that the revolution could be accomplished by peaceful methods of persuasion and explanation weren't you? A. No. We were never taught that.

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7206 Q. Let me ask you, Mr. Johnson, referring again to your testimony in the Yanish case, page 235,—that is your testimony on March 1, 1948,—whether you gave this answer:

'A—I was taught that Trotzky disagreed with Lenin insofar as the continuation of the revolution in Europe was concerned. Lenin had this point of view that the seizure of power in Russia should, for the time being, end there, and there should be a consolidation of the workers' power. Trotzky wanted to use the Workers Army to march into other countries of Europe at that particular time and assist the Communist forces in those countries to establish a Communist government and a dictatorship of the proletariat in those countries. In other words, he (referring to Trotzky) wanted to use that historic period to forcibly establish a similar type of government that they had in Russia at that time.

'Q—And it was because of that basic disagreement that Trotzky was expelled from the Soviet Union; isn't that right? 'A—It was because of that difference he was expelled.'

7207 You gave that testimony, didn't you? A. Yes.

Q. And that testimony was true at that time? A. Yes.

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7343 **Frank Strauss Meyer** called as a witness on behalf of the Petitioner, having been first duly sworn, has examined and testified as follows:

DIRECT EXAMINATION

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BY MR. STORY:

7344 Q. Mr. Meyer, were you at any time ever a member of the Communist Party? A. I was.

Q. Where and when did you first join the Communist Party? A. In 1932 in England, the Communist Party of Great Britain.

Q. Prior to the time you joined the Communist Party in Great Britain had you been associated with any Communist Party groups? A. I had been the founder and the first president of the Oxford University October Club, which was a club which technically was organized for the study of Communism. Actually it was rather a propaganda group.

Q. Mr. Meyer, were you associated with any Communist Party groups while you were attending the London School of Economics?

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7346 Q. Mr. Meyer, you have testified that you left the
London School of Economics in the spring of 1934—
A. There is an error in that, as a matter of fact. I suddenly
remembered something. As student work I was not associ-
ated with the YCL, but in the summer I did some very active
work in the YCL during two of those years and was
7347 associated with the secretariat of the Central Com-
mittee of the British Young Communist League dur-
ing that time.

Mr. LaFollette: Will you ask your last question again, please?

By Mr. Story:

Q. You have testified that you left the London School of Economics in the spring of 1934. Did you leave the London School of Economics voluntarily? A. No, sir. I was expelled.

Q. Why were you expelled? A. I had been elected President of the Student Governing Body which at the London School of Economics is called the student union, and in the course of political campaign against the authorities of the school—Sir William Beveridge was director at that time—we ended our campaign with an act of open defiance of the authorities and I was expelled.

Q. Did you remain in England after you were expelled from the London School? A. A month or two.

Q. Where did you go after leaving England? A. Immediately to Paris.

Q. Was your trip to Paris connected in any way with
Communist Party activities? A. Yes. I went there to work
for a couple of months. I wasn't certain what I was going
to do next, but immediately started work on the
7348 preparations for a world student and youth congress
against war and fascism under the aegis of the World

Committee Against War and Fascism, the Amsterdam-Playel Committee.

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7350 Q. When did you arrive in the United States? A. July, I believe, 1934. It was summer, anyway.

Q. Were you connected in any way with the Communist Party of the United States after you returned to the United States? A. I was.

Q. When did you get in touch with the Communist Party? A. I had a transfer in the form of a letter of introduction from Harry Pollitt, the secretary of the Communist Party of Great Britain, addressed to the head of the Communist Party of the United States, which discussed the work I had been doing and my position and introduced me to them for transfer to the American Party.

Q. Who was Harry Pollitt? A. He was general secretary of the Communist Party of Great Britain.

Q. Did you retain a copy of this letter? A. No, sir.

Q. You have stated that this letter was in the form of a letter of transfer. What do you mean by that, Mr. Meyer? A. I mean that just as if I had moved from one section of England to another or from one section of the United States to another as a member of the Communist Party and
7351 Communist International through the Communist Party, I was transferred. That is to say, I had to be introduced to the authorities of the new section to which I came both technically in terms of the transfer of membership and practically in terms of my ability, my position in the movement, where I had been, what I was capable of, and so on.

Q. Did you fill out an application to join the Communist Party after you arrived in the United States? A. Of the United States? No, sir. I didn't have to. It was a transfer from one section of the movement to another.

Q. What movement? A. The Communist movement, the Communist International in this case.

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7357 By Mr. Story:

Q. Mr. Meyer, did you go to Canada to attend the Canadian Congress against War and Fascism? A. Yes. As I say, after this period I then went up to Canada.

Q. Approximately when did you go to Canada? A. It is hard to remember. It must have been either late August or early September. I was around New York for a month or a month and a half. I don't remember.

Q. Did you attend any other conventions or conferences while you were in Canada? A. The convention of the Canadian Student League, and the convention of the Young Communist League of Canada.

Q. Did any of the leaders of the Communist Party of the United States attend any of these conferences?

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Mr. Story: This is testimony showing the World Communist Movement.

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7358 Q. Will you answer the question? A. Gil Green and Max Weiss formed a delegation from the Young Communist League of the United States.

Q. What position did Green and Weiss hold at that time? A. Green was the national secretary of the YCL and a member of the Central Committee of the Communist Party as well, and also I think at that point fourth secretary of the Young Communist International. Weiss I am pretty sure was national educational director of the YCL. Whether he was a member of the Central Committee of the Party or not I do not know. There were several leading YCL'ers who were.

Q. Mr. Meyer, after you had returned from Canada were you given any assignment by the Communist Party of the United States? A. Yes. There were some discussions with this delegation in Canada. As a matter of fact, the Canadians wanted me to stay there for awhile and work there, but it was finally decided that I should go to Chicago for a month or so and participate in the preparations of the Youth part of the Second United States Congress against War and Fascism and the final decision as to what I should do would be made in Chicago upon the conclusion of that conference or in conversations during the work.

7359 Q. Did you go to Chicago? A. Yes, sir.

Q. When did you arrive in Chicago? A. I have just been thinking that my date on the other must be out a bit because this Congress was certainly as early as September. That is to say, I am trying to cover the summer and I am not quite sure how the summer was divided but it must have been in September.

Mr. LaFollette: What must have been in September?

The Witness: The Congress in Chicago. Because I entered the University when it opened and the Congress was over.

Mr. LaFollette: What time did you say you were in Canada?

The Witness: I think I said August or early September. It is still possible that was the case but since I don't know whether I returned in late July or early July it is difficult.

By Mr. Story:

Q. Were you given any other assignments by the Communist Party of the United States after you arrived in Chicago? A. After the second United States Congress against War and Fascism was over and the final decision was made, it was agreed that I should stay in Chicago and continue graduate work at the University.

7360 Mr. LaFollette: Who were the leaders?

The Witness: Gil Green and a man named Max, who was the representative of the Young Communist International, and Max Weiss.

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Where did these conversations take place?

The Witness: In Chicago, after the Canadian business where the question of what I was going to do had been discussed. I was assigned to become the Secretary of the Youth Section of the American League against War and Fascism in the Illinois-Indiana area, and also drawn into the work of the District Bureau of the Young Communist League for that same district and also made responsible for the Party work on the campus of the University of Chicago, where I was a graduate student.

Mr. LaFollette: Let me ask you something. You say you were assigned to become secretary. Were you assigned to become a candidate for secretaryship or how was that assignment to be made?

The Witness: Since the Party really controlled the Congress and the local Congress, the state congress, completely, the Party said "You will have this job." 7361 When the Nominations Committee of the Congress came in my name was on the Nominations Committee slate because the Party controlled the Nominations Committee.

Mr. LaFollette: All right.

The Witness: And nobody objected.

Mr. LaFollette: Was there any contest or vote?

The Witness: The Nominations Committee report was accepted.

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7375 Q. Mr. Meyer, you have testified you were the educational director for the Indiana-Illinois District for a certain period of time. Were any full time Communist Party schools organized during this period? A. Did you say full time schools?

7376 Q. Yes. A. Yes, sir. There were a good number. The regular district schools of the Party were run once, sometimes twice a year, which are the longest and most important of the full time schools, and they ran 3, 4, 5, or 6 weeks.

Mr. LaFollette: Excuse me. By full time school you don't mean a school beginning in September and ending in June?

The Witness: No, sir.

Mr. LaFollette: You mean a school at which people give their full attendance over a limited period of time.

The Witness: That is right. Drop their job or whatever they are doing and work from morning to night at the school.

Mr. LaFollette: Thank you.

The Witness: These are Party schools, only for Party members. Then there were others of various types. We would run maybe perhaps a school for two or three weeks for trade unionists, party trained unionists or maybe one for a couple of weeks for professionals or we would organize a series of sectional schools where for four or five days in half a dozen of the more important sections we would run very brief intensive ones. Or perhaps we would get together a group of people who had time available because of off season occupation in a given industry and would run 7377 a week's school. There was a network of full time party schools, the most important of which was the district school itself.

By Mr. Story:

Q. Did you have anything to do with organizing the schools? A. I was responsible solely for that. That was one of the aspects of my work.

Q. Did you participate as instructor in any of these schools? A. Occasionally, yes. I should say in most of them or many of them for one or two or three days in one of the sections of the curriculum. I was in and out. We had other people doing the teaching.

Q. Were these schools limited to Communist Party leaders? A. Oh, Lord, yes. I am sorry, yes.

Q. Were any steps taken to conceal the existence of these schools or were they openly held?

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Q. Were these schools publicly announced in any way? A. Never.

7378 Q. Were any steps taken to conceal the existence of these schools?

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The Witness: Schools of this type were limited so far as knowledge of them was concerned to leading committees of the Party responsible for their operation, to the students in them, and sometimes to the person responsible for the work in the Party. In other words, the only people who were supposed to know about them were those who organized them and the district bureau, the district leadership on the one hand, the students who were selected and in many cases if one of the students selected was a section educational director, the section organizer who was responsible for his work or the person responsible for his work in some other activity, because steps had to be taken in that case about his work and so on and so forth. Otherwise, they were completely limited as far as knowledge of them was concerned. They were conducted altogether to maintain that concealment.

By Mr. Story:

Q. Please tell the Panel what precautions were taken by the organizers of these schools to conceal the exist-
7379 ence of the schools. A. This would vary from time to time. At times simply almost formal ones. Simply not speaking about them, and holding them in a place where no one would be around. At other times extremely severe precautions were taken.

Q. What were those precautions? A. During such periods, say, as the 1939 to 1941 period, the whole organization was on a conspiratorial basis; that is to say—

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7380 The Witness: I used the word conspiracy rather technically. The schools were conducted in those ways which in the Party were called in accordance with the rules of conspiracy. That is to say, a series of precautions were taken which one tended to learn in upper Party activities as being the rules of conspiracy. I will tell you exactly what I mean. Those who were going to the school were

notified, made arrangements if they happened to be workers to take a leave of absence from their job or whatever it might be, without saying the reason why or rather making an excuse for it. None but perhaps their organizer
7381 in the area they were in or the work they were in knew what they were doing. To their other Party members they were simply taking a leave of absence or were doing some other work. They would arrive, let us say in Chicago, if the school were being held there, and they usually were held in or around Chicago, and go to a house of a party member who was not publicly or widely known, would there be contacted, gotten in touch with, and notified where to report, which would be either— in the summer we have held them at the Camp which was run by the Party which was a sort of recreation camp but had sections which could be used for this purpose, or in winter and when we were more conspiratorial in workers halls belonging to one of what is called in the Party language organizations such as to say the Hungarian Federation or this or that. I don't know really in all cases to whom these halls belonged. We referred to them as the Russian Hall or the Hungarian Hall or whatever it might be. There are these language organizations of an insurance kind that go back to the old days of the Soviet Party. For such a hall arrangements would have been made in advance. The students would meet in groups of one or two and go to the hall, timing their arrival so that not more than one or two people would arrive at once and so that there would be no influx of people. In these periods the schools were very small, eight, nine, ten or eleven students. The instructors would arrive in the
7382 same way. All papers during the day would be burned at the end of the day. The books would be removed from the room used at night in suitcases so that the Hall was then in its perfectly normal appearance. Of course the students were told never to use the telephone in the building. Their letters from their wives would come to either the address they were staying at or some other address they were given in Chicago. They would be completely isolated

from the Party in Chicago while they were at the school. Their social activities or what social or cultural or progaganda activities they had would be conducted as a group at night. I could probably think of other things, but essentially when I say rules of conspiracy I mean they were isolated effectually, any idea of what they were doing, from anybody but a few people in the Party, and all measures were taken to maintain that, which are in terms of what the Party calls rules of conspiracy, of not talking to anybody that doesn't have to be talked to about a thing, of maintaining complete protection of written material, of not discussing on the telephone any such questions, and so on.

MR. LAFOLLETTE: May I ask you this: You were the head of the educational section which you testified was in effect the subsequent organization of the old agit-prop organization. Would you yourself hire the halls?

7383 THE WITNESS: The type of hall I am thinking of belonged to groups that had once been language federations before 1919. We simply would go and see the head of the language organization or the Party leader in the language organization who very often was the head and say we wanted a hall. We wouldn't even tell them what for. We wanted it at such and such a time for so many days and usually it was all right. They might have something on and we would have to try another one.

MR. LAFOLLETTE: Would you do that personally on any occasions?

THE WITNESS: Always personally, or someone working directly under me would do it.

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7384 Q. Mr. Meyer, what textbooks were used, if any, at these schools that you organized?

MR. ABT: May we have the date, Mr. Chairman?

MR. LAFOLLETTE: I think we have the date. I don't remember it, but it is in the record. It doesn't hurt to give it again.

THE WITNESS: The dates on which I was responsible for this work directly was 1938 to 1941.

Mr. LaFollette: I thought that was it. Go ahead.

7385 The Witness: The fundamental textbooks used before the History of the Communist Party of the Soviet Union appeared—that must have appeared late in 1939, but I can't date it exactly. I can date it by epoch. It appeared during that general 1939 to 1940 epoch, but I think it appeared in late 1939 or it might have been early 1940. At any rate before that appeared the major text books used, at the core of the whole problem—there were others used but the essential ones always were the Communist Manifesto of Marx and Foundations of Leninism by Stalin. The whole course of Marxism-Leninism was organized around these two. Then, so to speak, radiating from them were special problems: Lenin's State and Revolution, Lenin's Imperialism, Stalin's Problems of Leninism. I should say these were the central ones, except at one point also, I think in the earlier part of this period primarily, there were three rather widely used textbooks of excerpts from the writings of Marx, Engels, Lenin and Stalin. One was called Strategy and Tactics, another the Theory of the Proletarian Revolution, and another one the Dictatorship of the Proletariat. After the History of the Communist Party of the Soviet Union appeared it became the Central Textbook.

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7408 Q. Mr. Meyer, you have testified concerning the campaign prior to the time the History of the Communist Party of the Soviet Union was published in this country. Was the History of the Communist Party of the Soviet Union used by the Communist Party in its training or instructions after it was printed? A. Yes.

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Q. How was the history of the Communist Party of the Soviet Union used after it was available for distribution? A. It became, as I think I stated before, the central Marxist-Leninist textbook, the central textbooks for the teaching of Marxism-Leninism, and I think to explain how it was used it is necessary to say a word or two about the way the book itself is written and organized.

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7409 THE WITNESS: When I say how it is organized I mean there is a definite scheme in the organization 7410 of it. I don't want to speak so much of the substantive content but of the way in which the chapters are organized, particularly the first half dozen or so. The same general principle applies to the rest of them, but it is clear as to the first half dozen. It is a history of the Communist Party of the Soviet Union, Bolshevik. Each chapter begins with a description of the political and social situation at the time in Russia. Then it discusses the development of political struggle at that time. Then it puts forward the kind of task faced the party. Then it shows the ideological struggle that took place within the Bolshevik Party at the time, and before the Bolshevik Party within the Russian Socialist Democratic Labor Party, about this problem, and then summarizes, first, the actual steps that were taken concretely at that time by the Party and secondly theoretical principles deduced from those concrete steps. As a matter of fact, it summarizes thereby a number of the leading documents of Leninism. That is to say, in that last section of which I just spoke, one chapter would summarize one book which Lenin wrote polemically at that time; in another chapter, another book.

As to how it was used, in teaching it wherever I had any experience with it, and this was both the general directive which reached me as to how it was to be done and those which I passed on and the training of teachers which I gave and caused to be given, the approach was this: The 7411 historical part proper, that is to say the description of the Russian situation, was very quickly summarized, or if it was a type of school where there was time for the student to read, he was told to read it. It was very briefly discussed in class simply to get the salient points, to get, so to speak, the problem. Then essentially the question was asked as to how did the Russian Bolsheviks solve this problem? What problems were facing them, what were the issues, how was it solved? Then from that, what general principles of guidance to a revolutionary party can be deduced that are permanently correct in the modern period of time?

In other words, the major material of the book, not necessarily the major in content in terms of number of pages devoted to it, but the essential core of each chapter was the general theoretical principles derived from the Russian put to the students as general principles of revolutionary action which they were then to discuss in terms of the whole total current situation in which they were working, in terms of other historical examples and so on, in order to learn from it, I think the statement of it was, not a dogmatic but a living guide to revolutionary action from the experiences of the Bolsheviks and the writings of Lenin and Stalin.

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7413 Mr. Story: I thought my question, Mr. Chairman, asked the witness if the same textbooks were used during the period of the Communist Political Association as were used during the prior years by the Communist Party of the United States.

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7414 The Witness: To the best of my knowledge, which was derived both from teaching at the Jefferson School and from conversations engaged in at other Party educational activities, there was a profound de-emphasis during this period of the basic textbooks of Marxism-Leninism. I can't say that they were never used, but they were certainly de-emphasized, to a considerable degree passed over, and central teaching was around the current documents of the Party, particularly Earl Browder's Teheran pamphlet; "Tehran Road to Peace," I believe, and the other national committee documents, speeches of Browder and so on, which put forward and amplified the so-called Tehran line, which was the line of peaceful coexistence of the United States and the Soviet Union and peaceful transition to socialism.

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7422 Q. Mr. Meyer, during your membership in the
Communist Party did you meet any representative
from the Communist International in the United States?
A. On one occasion there in Chicago I met a man who
carried the name of Edwards, who was at that time the
representative of the Communist International in the
United States.

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By Mr. LaFollette:

7424 Let me ask you, from whom did you first hear the
name Edwards?

The Witness: I think, as a matter of fact—in fact
7425 I am sure—that before I left England in talking over
with Pollitt the American Party and giving me one
or two personal messages to friends of his here, I asked him
who was the rep in the United States at the time and he told
me Edwards was the rep and had been for a year or two.

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By Mr. Story:

7436 Q. Did you know Edwards by any other name in
the United States, Mr. Meyer? A. Some years later
I met him under the name of Berger for a few moments,
considerably later, in 1944 I guess it was. I didn't
7437 know him under any other name, except in so far as
newspapers are concerned.

Q. Did he have a first name or was Berger all you knew? A. Hans Berger.

Q. Did you know Edwards by any other name in the United States at any time? A. Personally? No, I didn't. I only know what I read in the paper.

Q. Did you see Edwards' picture in the paper at any time? A. Yes.

Q. Did you recognize him as the Edwards that you had met in Chicago and also in New York? A. Yes, sir.

Q. What name was in the newspaper? A. Gerhard Eisler.

Q. Mr. Meyer, was the Communist Party of the United States a member of the Communist International during your membership in the party? A. Up to the passage of the Voorhis Act, yes, sir.

Q. What was the date of that? A. That I am not entirely sure of. It must have been in 1939 or 1940. It was during that period, but I can't remember the exact date of it. 1940 I am pretty sure, but it may have been late 1939.

7438 Q. What did the Communist Party do at that time? A. Disaffiliated from the Communist International.

Q. Were you present at any meeting at any time when the reasons for this disaffiliation was discussed? A. I was present at the State Committee meeting at which the small delegation to the emergency convention which did the disaffiliating reported back to the Illinois-Indiania District.

Q. What was the substance of that report? A. The substance of that report was that what had been done was a simple act of expediency, that it changed nothing fundamentally or significantly, and that it had to be done in order to preserve the legality of the Party.

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7439 Q. Mr. Meyer, during your membership in the Communist Party of the United States, were any of the members of the Party sent to Russia to school?

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The Witness: Yes.

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Q. Do you recall the names of any of the persons who were sent to Russia to school? A. Morris Childs had been to school in Russia.

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7442 Q. Do you recall the names of any other members of the Communist Party in Chicago that attended a Communist Party school in the Soviet Union? A. Ray Hansborough.

Q. How did you gain that information? A. From conversations with him about the school.

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Q. Mr. Meyer, during your membership in the Communist Party were members of the Party open members of the Party or concealed members of the Party? A. They were both.

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7443 Q. Were any particular groups of the Communist Party retained as concealed members of the Party? A. Apart from the individuals who might be for special reasons in the individual case, the groupings that were usually so concealed were trade unionists, mass organization leaders, professionals, people whose value to the Party or personal careers might be seriously interfered with by being know as open members.

Mr. LaFollette: How did they conceal it? How did you know they were concealing it? They were concealed from whom? Were they concealed from you?

The Witness: No, sir. There were some who were concealed from me unquestionably who were members at large. Even though I was one of the top people in the district, there were members that I only knew of as existing without knowing who they were. These were a very few. Others, let us say, a group of professionals, would be known to each other and to the section organizer of that section and to leading people from the district who had activities to do with them, but their membership otherwise would not be known either to other Party members or to the
7444 public. Others might simply take precautions in some mass organization they were working with or in some place of employment and be fairly open elsewhere. There was a whole graduation of degrees of secrecy, including some members at large whose names I knew of. For example, when I was membership director, in answer to that last question, I received dues for about 35 members at large or 15 members at large, something of that sort, 15 or 20 of

those I never knew who they were. I never knew what their identity was. They were solely in touch with the district organizer or perhaps some other leading member. This was the extreme concealment that I spoke of.

By Mr. Story:

Q. What do you mean by an open member of the Party? A. An open member of the Party would be a member who in no way or nowhere concealed his identity as a Party member, and acted as a Communist at all times, and admitted the fact or was proud of the fact. I was an open member, for example. I never concealed it.

Q. Mr. Meyer, during your association with the Communist Party were members given any instruction concerning the disclosure of their membership to police or other governmental officials.

Mr. Abt: I object.

7445 Mr. LaFollette: From your own personal knowledge tell us what you know about it. The objection is overruled.

The Witness: Yes. Certainly members were all indoctrinated not to cooperate in any way with law enforcement authorities on that question. That is, if they were going to a demonstration they were instructed, if arrested, not to admit they were members of the Communist Party. Others who were in special situations where they were not supposed to be members of the Communist Party by law or by custom, were certainly instructed not to admit the fact, and so on.

By Mr. Story:

Q. During what period of time in the Communist Party was this true? A. To a greater or less degree throughout my experience in the Communist Party, varying from time to time in quantity and number.

Q. You were a member of the Communist Party of the United States during what period? A. From 1934 until I went into the Army, and again upon being out of the Army until the dissolution of the Party and the establishment of the CPA, and then technically a member of the Party as late as January 1945.

Q. In 1945— A. In 1945 I was technically a member. For practical purposes I was considered a member until the explosion. It just so happens that I was so torn by doubts
that I didn't re-register and nobody noticed it in
7446 January 1945. But I was associated with the Party
up through practically January 1946.

Q. Did the Communist Party of the United States keep any records during your association with the Party? A. What sort of records?

Q. Any kind of records. A. The financial records which were kept by the District Organization and by certain organizations like the Workers' School, the framework of records, let us say. They contained no important transactions. They were simply legal records for tax authorities and public view.

Q. Were any other records kept by the Communist Party during your membership? A. In the normal sense of the word I would say no membership records, for example. There were ways of knowing how many members there were in sections, units, and so on. I wouldn't call them records. That is to say, a district or section membership director would have a chart—I was district membership director, so I would have a chart—which divided each district into sections and I would know the number in each section. In turn the sections would be divided into branches and I would know the number in each branch. The section membership director would have a pretty good idea of the names of those in the most important branches. Particularly in the
period 1939 to 1941 they were strictly forbidden to
7447 keep them in written form. They might be identified
in some form of nemonic (sic) initial or nickname or
something like that, and so on, down to the bottom, where the branch membership director was strictly instructed to keep them in his head and in his head only. So in the strict sense of the word they were not records.

Q. Were you given any instructions while you were membership director to keep your records by this method? A. Yes, sir; because I was membership director during this period of extreme precaution, and both these and other precautions were general. The actual methods I used I may have worked out for myself, but the instructions were to the effect of no identifiable lists of names, records of that sort, and so on.

Mr. LaFollette: From whom did you receive these instructions?

The Witness: The district organizer.

Mr. LaFollette: Verbally?

The Witness: Verbally.

By Mr. Story:

Q. How were finance transactions recorded during this period? A. Those that could be—

Mr. Abt: May we have the period? I am not clear what period we are talking about.

7448 Mr. LaFollette: You are talking about the period during which he was a membership director.

Mr. Story: That is right.

Mr. Abt: The entire period of membership?

Mr. LaFollette: The period during which he was a membership director in Chicago, as I understand.

The Witness: The expenses such as rent, salaries of known Party leaders, and so forth, some of them at any rate, were passed through the books in ordinary check form. That is to say, transactions about which there was no desire to maintain any secrecy. All other transactions were in cash.

Mr. LaFollette: How did you pay the rent?

The Witness: I think we probably paid it in check. I am certain that that general type of thing was paid by check. The rent would be paid by check because it was an office building.

By Mr. Story:

Q. How often were membership books issued by the Communist Party? A. Every year, so far as I can remember.

Q. Were membership books issued for all the years that you were a member of the Communist Party? A. I think for every year with the exception of 1940 or 1941, one of those years when the Party felt it was facing illegality and books were not issued at all. It was either 1940 or '41.

7449 Q. Were you present at any meetings when the reasons for not issuing books were discussed? A. Certainly at meeting of the organizational and educational commission, which was the operative organ of the Chicago District when a number of problems were taken up with regard to the Party's fear of approaching illegality, that was one of the questions discussed.

Q. Were any reasons given for not issuing membership books?

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The Witness: To protect the members.

By Mr. Story:

Q. To protect them from what? A. From any consequences that might ensure from what the Communist called an attack on the Party. To keep the apparatus of the Party in such shape that it could function even if the Party were illegal.

7450 Q. Mr. Meyer, were any members of the Communist Party identified by aliases or party names during your membership in the Party? A. Certainly a number of leading party members' names were not those they were born with, and—we were talking of records before—real names were never used in records and very rarely used in Party books. In Party books some alias was put in for a great many, if not most Party members.

Mr. LaFollette: How about Childs?

The Witness: I don't really know whether Morris Childs' name was on it or not. I do not believe it is, but I don't know.

Mr. LaFollette: So far as you know, he has never used any alias other than Morris Childs?

The Witness: No, sir. So far as I know.

Mr. LaFollette: As long as you knew him he used the name of Childs?

The Witness: Yes.

Mr. LaFollette: All right.

By Mr. Story:

Q. Were all members of the Communist Party allowed possession of their membership book? A. In the professional units that I had to do with, the professional section in Chicago, the books were usually kept en masse for all members of the unit by the unit financial secretary.

7451 Q. Was this during the period that you were membership director? A. Yes, sir; and also during the period I was educational director this was the custom in most of the professional units, if not all.

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Q. Why did you use this system in the Communist Party during the time you were a membership director? A. This question of keeping the books together?

Q. Yes. A. Essentially because they were members who did not admit their Party membership, who were concealed members, who didn't want to have anything around the house whatever to prove that they were members. Hence, by not having their books there was one more possibility of exposure removed.

Mr. LaFollette: But the person who did keep the books had them all?

The Witness: He kept them in some safe place, presumably. 7452

Mr. Marcantonio: I didn't get the last question by the Chairman and the last answer.

Mr. LaFollette: I said the member who did keep the books had them all, the books of the people who were concealed. The witness' testimony, Mr. Marcantonio, has been that a section leader or professional or concealed member would keep all the books.

The Witness: Usually the unit financial secretary.

Mr. Marcantonio: What books did he keep, the membership books?

Mr. LaFollette: The membership books.

By Mr. Story:

Q. Mr. Meyer, when new membership books were issued what happened to the old books, if you know? A. During the time that I was a member they were collected. The old book was taken back, and the member was re-registered and the new book given out.

Mr. LaFollette: Were there any numbers on the book?

The Witness: I think the books were numbered. Yes, they were specifically, and checked one against the other, at least in the year in which I was doing the job.

By Mr. Story:

Q. Mr. Meyer, during your association with the Communist Party in Chicago did you at any time have an
7453 office in the District Headquarters? A. During the entire time I was a full time functionary, I had an office there.

Q. What were the dates? A. From early 1938 to summer of 1942.

Q. Were any steps taken to conceal the activities of the Communist Party in and around the district office?

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The Witness: A number of steps were routinely and more or less thoroughly carried out. It was against all policy to use the Party telephone. The formulation was not to use the Party telephone for any conversation that you would not like for a member of the FBI to overhear. As a matter of fact, that telephone instruction was carried a bit further. It was not regarded as wise to use any of the phone booths in the immediate neighborhood of the Party office or to make more than two or three or four phone calls from the same booth.

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7454 THE WITNESS: Further, nothing but mimeographed documents, no letters or detailed information or names were to be left in Party desk drawers overnight, nothing but books or materials that existed in sufficient quantity to be widely circulated anyway. It was also the habit not to mention anyone's name who was not an open Communist aloud in the Party office. All leading meetings or most of them at any rate of the small committees were held outside of the Party offices in private homes, especially arranged for in advance.

By MR. STORY:

Q. Mr. Meyer, how was important Communist Party mail handled during your membership in the Party? A. It wasn't sent out. I know only from my own experience. I never organized such an apparatus. It was handed to the person in charge of the office who disposed of it through special addresses, cover addresses to wherever it had to go. That is to say, the addresses of private individuals who were not suspect, to which it was sent, and mail to the Party district office in turn came the same way.

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7455 Q. Have you taught anything as to what other members of the Communist Party should do in the event they were called upon to testify? A. The total understanding—

MR. ABT: Just a moment. I object. The witness was 7456 asked whether he ever taught anything. He can answer that yes or no.

THE WITNESS: I misunderstood the question, I am sorry. Yes, I did teach.

MR. LAFOLLETTE: All right, what did you teach?

THE WITNESS: I taught essentially this—

MR. ABT: When and where, Mr. Chairman.

The Witness: I taught over a long period of time in Party schools, in Party unit meetings where such questions had arisen, this doctrine: That there is no moral law for a Communist Party member except the success of that to which he has dedicated himself, that is to say, the classless society, which in turn means—this is what I taught—

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The Witness: That the basis of all moral acts by a Communist is the question, do they or do they not help to achieve
the victory of the classless society, which in turn
7457 comes down to and means, do they or do they not help
the Communist Party? Therefore, no oath, no statement in court, no consideration of any kind can come before the question of whether it helps or hurts the Party. Therefore, of course they were to testify or to make affidavit or whatever it may be in accordance with the needs of the Party at that time and irrespective of the actual truth.

By Mr. Story:

Q. Mr. Meyer, was the membership of important committees of the Communist Party reduced at any time during your association with the Communist Party? A. Yes, sir.

Q. When were these committees reduced? A. In the period between 1939 and 1941 when other steps for security were being taken.

Q. What committees were reduced in size? A. The National Committee, the State Committee, and some of the section committees.

Q. Were you present at any meetings of the Communist Party when the reasons for this reduction in size was discussed? A. The same meetings I referred to previously, in which the whole question of preparations to safeguard the
Party were taken up, and the reasons given were to
7458 safeguard the Party.

Q. Did the number of members allowed in small units of the Party change at any time during your membership in the Party? A. On a number of occasions during my membership. When I first came to the United States the average basic unit ran from 12 to 20, never very much larger. In the period around 1936 a number of these were combined in the neighborhood or large industrial branches, which ran anywhere from 50 to 100. Then again in 1939 to 1941 that I was speaking of these were broken up into groups of five or six. Then again after the Hitler attack on Russia and the general change of political climate they were enlarged again to their older form.

Q. Were you the membership director at the time the basic unit of the Party was reduced in size? A. I don't believe so. I think that occurred just before I became membership director.

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7459 Q. Mr. Meyer, did you attend any meetings at any time of the Communist Party where plans were devised to take the Communist Party underground? A. I attended meetings of the group, the meetings I spoke of a little earlier, where among other security measures we discussed preparing for actual illegality as well as in preparatory stages, yes, sir.

Q. What plans were made at the meetings that you attended?

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7460 The Witness: Apart from the steps I have already spoken of which have some relevance to this question, the ones I was concerned with were preparations of stocks of mimeograph paper, ink, mimeograph machines at different places, packets of books and study outlines to be prepared and put away and scattered about the district. This type of thing in connection with the agitation and propaganda apparatus. In every section we got a large good mimeograph machine and for every branch we were supposed to get some form of duplicator of one kind or another. There was a scattering of study outlines and a collection of basic books where they could be called upon and available. Steps were taken whereby leaders down in the subsection or branch levels were prepared for these alternate places of living and alternate leaders with whom contact could be made. The actual immediate step was taken, even at that time, of transforming the connections of the district organization with the sections and sub-sections immediately by giving up the process of having regular meetings of the section organizers, the sectional directors and the section membership directors which used to be held weekly on a district basis, and assigning to each member of the Central District core a small area, a third or a quarter of what had been the section, with a new section organizer, through whom he was to receive and transmit all directives. So instead of a network coming out of five or six lines of communication, all communication between district 7461 divisions and the subsections and branches were to go through one source which then spread it out through the smaller branches being set up.

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7464 Q. During this period what was taught in Communist Party schools concerning the allegiance that members of the Communist Party of the United States owed to the Government of the United States?

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The Witness: The doctrine that seems to me touched most clearly and directly on this was the doctrine that the Soviet Union represented the first workers breach through the walls of capitalism, had become therefore a fortress for the international revolutionary movement, one whose loss would be irreparable, so that the defense and protec- 7465 tion and expansion of that fortress was the first task of the revolutionary movement and the Communist movement under any and all circumstances.

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7466 Q. Mr. Meyer, do you recall an article written by Jacques Duclos, a French Communist, concerning the Communist Party of the United States? A. Very well, sir.

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7467 Q. Did you read the Duclos article in Political Affairs? A. Not for the first time, but I read it in there, studied it in there. I have seen it elsewhere.

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7468 Q. Did you hold any position in the Communist Party of the United States at the time that article was first published? A. I was teacher at the Jefferson School, writing for the New Masses.

Q. Did you attend any Communist Party meetings or conferences at which this article was discussed? A. On a couple of occasions, yes.

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7469 Q. Did the National Board, Executive Board of the Communist Party take any action concerning the Duclos article? A. Its first resolution on the question appeared a day or so after this meeting, I believe on Sunday or Monday, in either the Sunday Worker or the
7470 Worker, and it was a resolution which passed the Board with Browder opposed and I think Hudson not voting, which supported the Duclos position.

Q. After these resolutions had been passed by the National Board did you attend any other meetings where the Duclos article was discussed? A. Another meeting called together at the Jefferson School, of the faculty members, probably about a week or ten days after the first one.

Q. Who was the principal speaker at the second meeting? A. Jack Stachel.

Q. Approximately how many faculty members were present at this meeting? A. Maybe a few more than the previous time, the same rough amount.

Q. What did Jack Stachel say concerning the Duclos article at this second meeting? A. Jack Stachel said that he was sure that those present had had time to consider the question since the rather hastily convened meeting at which it was first discussed there and could realize now, after the

first flush of upsetness, what the real situation was and that therefore the real question to be discussed was how did the American Communist Party ever get into such a slough of revisionism and liquidationism. He proceeded to analyze the reasons for it back to the days of Mr. Lovestone
7471 and to say that the whole thinking of the American
Party had been vitiated, that this arose particularly during the Roosevelt period, that one of the most important things that the Party had to do in pulling itself out of its liquidationism was to kill the Roosevelt myth, that the problem was one of thoroughly revising the Party's thinking and activities and profiting by them in the light of Marxism-Leninism to carry out a ruthless campaign, et cetera, against revisionism and liquidationism, and to pull itself together as fast as possible because the disease had gone so far that already, he said, in the South not only the Party but many other Communist organizations had been liquidated and it would be carried further in that direction and so on. But the peroration essentially had to do with the need of liquidating liquidationism, liquidating revisionism, and returning to the fountains of Marxism-Leninism.

Q. Did any one present at the second faculty meeting defend Earl Browder and his position? A. I did. I don't think anyone else did.

Q. Did Stachel answer your position on the Duclos article? A. Yes. I had made the center of my rather short statement that there was every possibility of progressive development in friendship between the United States and the Soviet Union and through peaceful development.
7472 At the same time I retained a socialist position. I
spoke in terms of the possibility of the development of Socialism, and so on, without any need of sharp struggle. I said that in view of the fact that this was possible and that there remained only two great powers in the world, that the policy of the Duclos letter was a policy of war between the United States and the Soviet Union and was an extremely dangerous one for the American Communist Party

and for the American people. He answered it by saying that I was provocative, and revisionist and liquidationist. He answered me with words, with attacks, but I don't remember the substance of his answer or whether there was any.

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7483 **Dr. Philip E. Mosely** recalled as a witness on behalf of Petitioner, having been previously duly sworn, was examined and testified further as follows:

DIRECT EXAMINATION—resumed

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By MR. LENVIN:

7486 Q. I would like to show Dr. Mosely what has been marked as Petitioner's Exhibit for identification No. 298—

(The document referred to was marked for identification Petitioner's Exhibit No. 298.)

Q. —which is an issue of The Current Digest of the Soviet Press, Volume II, No. 46, for December 30, 1950, and specifically direct his attention to an article appearing on page 8 which is a translation of an article entitled "Peking Honors Heroes," by Pravda Staff correspondent I. Vysokov, which appeared in Pravda for December 8, and ask Dr. Mosely whether in arriving at his opinion regarding the attitude of the Soviet Union toward the entrance of the Chinese Communists into the Korean conflict he took this article into consideration. A. I read this article at the time, shortly after it was published in Pravda, and I have also read it in the condensed version presented in The Current Digest of the Soviet Press. In my opinion this article 7487 expresses strong Soviet approval for the participation of what it describes as the Chinese people in the military struggles in Korea.

This is only one of many news items and editorial opinions of the time in the Soviet Press similarly supporting the role of Chinese forces in Korea from November 1950 on.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 299—

(The document referred to was marked for identification Petitioner's Exhibit No. 299.)

By Mr. Lenvin:

Q. —which is an issue of The Current Digest of the Soviet Press for December 2, 1950, Volume II, No. 42, and direct your attention to an article appearing on Page 16 entitled "Chinese volunteers on their way to Korea," also by I. Vysokov, which is a summary translation of an article appearing in Pravda for November 13, and ask you whether you took this article into consideration in arriving at your opinion toward the attitude of the Soviet Union toward the entrance of the Chinese forces into the Korean conflict. A. Yes, I read this article in full at the time and also in this summary translation published in the Current Digest of the Soviet Press. Published approximately two weeks before the formal entrance of Chinese Communist forces into the military struggle in Korea, it announced that tens of
thousands of Chinese volunteers were entering the
7488 Korean People's Army, the Army of Northern
Korea, to take part in the struggle against what it described as American imperialism. The correspondent expressed enthusiastic approval of these steps, and Pravda published this news story, which is similar to many others at that time in the Soviet Press.

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Q. Dr. Mosely, it is a matter of historical fact, is it not, that a clergyman by the name of Cardinal Mindszenty was charged with and put on trial for treasonable activities by the Hungarian Government early in 1939?

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7489 The Witness: The trial of Cardinal Mindszenty and his co-defendants took place in February 1949 in Budapest.

By Mr. Lenvin:

Q. From your examination of publications and other materials emanating from the Soviet Union have you been able to form any opinion as to what the views and attitude of the Soviet Government or the Communist Party of the Soviet Union were toward the charges leveled against Cardinal Mindszenty? A. Through its newspapers and other official statements by its spokesmen the Soviet Government expressed its complete approval of both the charges which were brought against Cardinal Mindszenty and his codefendants, defended fully the procedures which were applied in conducting the trial and the sentences which were imposed and which were reported to have been executed.

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7490 Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 300—

(The document referred to was marked for identification Petitioner's Exhibit No. 300.)

By Mr. Lenvin:

Q. —which is a statement made by Mr. Gromyko at the 201st plenary meeting of the General Assembly held at New York on Friday the 29th of April 1949, and ask you whether you have ever read that statement before. A. Yes, I have read this statement at the time—

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7491 The Witness: I also re-read this account of Mr. Gromyko's remarks since then.

By Mr. Lenvin:

Q. In your opinion does this statement reflect the views and attitude of the Soviet Union toward the Cardinal Mindszenty case. A. Yes, in my opinion it does. Mr. Gromyko was speaking officially on behalf of his government in the General Assembly of the United Nations. His remarks are given in the third person, but according to the practice of the United Nations secretariat the Soviet delegation had an adequate opportunity to present any corrections that it wished to before the official record was issued. In his remarks Mr. Gromyko expressed complete approval 7492 of the charges which had been brought against Cardinal Mindszenty and his co-defendants. He gave his complete approval to the substance of the charges. He approved the methods by which the trial had been conducted, and he rejected outright all criticisms, both concerning the substance and the procedure of the trial.

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By Mr. Lenvin:

7493 Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 301—

(The document referred to was marked for identification Petitioner's Exhibit No. 301.)

Q. —an issue of Soviet Press Translations, Volume IV, No. 5, dated March 1, 1949, and direct your attention to the translation of an article entitled "The Vatican Suffers a Defeat," by A. Berezov, which appeared in the Literaturnaya Gazeta for January 15, 1949, and ask you, Dr. Mosely, whether you have ever read that article before. A. Yes, I have read this article in the original Russian newspaper, the Literary Gazette, and also in the full translation published in the Soviet Press Translations.

Q. In your opinion, does that article reflect the 7494 views and attitude of the Soviet Union toward the Cardinal Mindszenty case? A. Yes, in my opinion it does. It is only one of many expressions at that time and since of the complete support of the Soviet Press and spokesmen for the charges brought against Cardinal Mindszenty and his co-defendants and even adds many further charges against the Holy See. It is a typical expression of Soviet view of this trial.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 302—

(The document referred to was marked for identification Petitioner's Exhibit No. 302.)

By Mr. Lenvin:

Q. —which is New Times for February 16, 1949, and direct your attention to an article commencing on page 22 entitled "Cardinal Mindszenty's Trial," by F. Potyomkin, and ask you if you have ever read that article before. A. Yes, I read this article in the Russian version of New Times shortly after it was issued and I have also read it in the English version of New Times.

Q. In your opinion is that article typical and does it reflect the attitude of the Soviet Union toward the Cardinal Mindszenty case? A. Yes, in my opinion it is one additional example of the attitude continuously taken by the 7495 Soviet press and spokesmen on the question of both the content and procedure of the trial as well as its attacks upon the Catholic Church as a whole and upon the Holy See.

Q. Dr. Mosely, in your examination of the publications and other material issued by the Communist Party of the United States have you been able to form any opinion as to the views and attitude of that party toward the charges leveled against Cardinal Mindszenty and the subsequent trial? A. Yes, I have. The press of the Communist Party of the United States commented frequently before, during, and after the trial.

Q. Now I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 303—

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Q. Which is an excerpt from a book by William Z. Foster entitled "The Twilight of World Capitalism," copyright 1949, by International Publishers Company, Inc., and direct your attention to an excerpt commencing with the 7496 first paragraph on page 95 and ending with the last full paragraph on page 98, and ask you whether you have ever read that before. A. Yes, I read the entire volume by Mr. Foster, including the section presented here. This would be regarded as an authoritative statement of the point of view of the leadership of the Communist Party of the United States, and as such it was frequently recommended in the Party Press for study and thought.

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7497 Q. I also show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 304—

(The document referred to was marked for identification Petitioner's Exhibit No. 304.)

By Mr. Lenvin:

Q. —which is the Daily Worker for February 10, 1949, and direct your attention to an editorial appearing on page 1 entitled "Mindszenty—Jew Hater" and ask you if you have ever read that editorial before. A. Yes, I have read this editorial.

Q. In your opinion does that editorial reflect the view and attitude of the Communist Party toward the Cardinal Mindszenty case as of that date? A. Yes, in my opinion it does, and it is a typical expression by the Press of the Communist Party of the United States concerning the nature of the trial of Cardinal Mindszenty. It ignores completely the fact that the postwar Hungarian Government, in which the Hungarian Communist Party played a leading part, publicly thanked Cardinal Mindszenty for his great efforts to save from destruction many hundreds of thousands of Jewish people both in Hungary and those who had taken refuge in Hungarian's Nazi barbarism.

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7499 Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit No. 305—

(The document referred to was marked for identification Petitioner's Exhibit No. 305.)

By Mr. Lenvin:

Q. —which is the Sunday Worker for February 13, 1949, and direct your attention to page 3, an article by Robert Friedman entitled "The Truth about the Mindszenty Case." I ask you whether you have ever read that article before. A. Yes, I read this article at the time and since. In my opinion it is directly parallel to the point of view on this problem which was taken by the Hungarian Communist Government and by the Soviet Government through their official statements and their controlled press.

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7500 Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 306—

(The document referred to was marked for identification Petitioner's Exhibit No. 306.)

By Mr. Lenvin:

Q. —which is the Daily Worker for February 15, 1949, and direct your attention to the editorial entitled "The Vatican Talks Politics," and ask you whether you have ever read that before.

Mr. LaFollette: Is this on the same subparagraph?

Mr. Lenvin: Yes.

Mr. LaFollette: All right.

The Witness: Yes, I have read this editorial in the Daily Worker for February 15, 1949.

By Mr. Lenvin:

Q. In your opinion does that editorial reflect the view and attitude of the Communist Party toward the Mindszenty case as of that date? A. Yes, in my opinion it does. It expresses the complete approval of the Communist Party of the United States of the conduct of the trial in Hungary, its full support of the conclusions of the Hungarian Court, and of the sentence imposed, and also broadens this matter

to a general attack upon the whole position and doctrine of the Catholic Church. It is directly parallel to similar expressions of views and advocacy of the policy as found
7501 in the Soviet Press at that time and since.

Q. Now, Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification No. 307—

(The document referred to was marked for identification Petitioner's Exhibit No. 307.)

By Mr. Lenvin:

Q. —which is the Daily Worker for February 7, 1949, and direct your attention to an article commencing on page 1 entitled "Spellman Defends Mindszenty's Treasonous Acts," and ask you whether you have ever read that before. A. Yes, I have read this front page article in the Daily Worker for February 7, 1949.

Q. In your opinion does that Article reflect the views and attitude of the Communist Party of the United States toward the Mindszenty case? A. Yes, in my opinion it does. It is printed in a prominent position in the official organ of the Party. Its accusations and allegations are directly parallel to those presented at about the same time in the Soviet Press.

Q. Dr. Mosely, it is a matter of historical fact, is it not, that the Government of Bulgaria in early 1947 put on trial a man by the name of Nicola Petkov? A. Yes, it is a fact. The trial occurred in August 1947.

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7503 The Witness: Yes, sir. I recall the principal
charges clearly. I read the full indictment and also the full text of the record of the trial as issued by the Bulgarian Government. I have also read the summary reports issued in the Soviet Press.

Mr. LaFollette: Proceed.

By Mr. Lenvin:

Q. Will you answer the question, then, Dr. Mosely, as to what the charges were, what he was charged with? A. Yes. The principal—

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7504 The Witness: The principal charge was that of treason against the Communist Government of Bulgaria. That embraced other charges such as sabotage, espionage, conspiracy to overthrow the regime in Bulgaria and conspiracy with representatives of foreign powers. It also included charges of hostility against the Soviet Union and attempts to weaken the so-called friendly relations between Bulgaria under its communist leadership and the Soviet Union. Petkov had been a member of the coalition government which welcomed Soviet forces to Bulgaria as liberators from Nazi control, and he had for many months remained an active participant in that coalition government.

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The Witness: He was prior to his arrest the leader of the Bulgarian Peasant Party, which had been in opposition for many years to authoritarian rule in Bulgaria and had striven for a democratic development of the country.

By Mr. Lenvin:

Q. Dr. Mosely, I show you what has been marked 7505 as Petitioner's Exhibit for identification No. 308—

(The document referred to was marked for identification Petitioner's Exhibit No. 308.)

By Mr. Lenvin:

Q. —which is an issue of For a Lasting Peace, for a People's Democracy, for December 15, 1947, and direct your attention to an article commencing on page 2, by V. Chervenkov, entitled "The Activities of the Bulgarian Worker's Party (Communists)". I ask you if you have ever read that article before. A. Yes, I have read this article published in For a Lasting Peace of December 15, 1947, at the time and since. In it the secretary-general of the Communist Party of Bulgaria describes the complete defeat of Petkov and the elimination of his party. He defends fully the substance of the charges and the procedures under which Petkov was convicted and executed by the Bulgarian Communist Government.

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7506 Q. In your opinion, Dr. Mosely, does that article reflect the views and attitude of the Cominform and of the Soviet Union toward the charges brought against Petkov? A. Yes, in my opinion it does. It is a report delivered by Mr. Chervenkov at a conference of the Communist Information Bureau at which he was the representative of his party. This represents a summary of the main points of the position taken by the Bulgarian Communist Government and Party in the Petkov case, and it is directly parallel to the position taken by the Soviet Press and by the World Communists in the same matter and at that general time.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 309—

(The document referred to was marked for identification Petitioner's Exhibit No. 309.)

By Mr. Lenvin:

Q. —which is a certified translation of an article appearing in Red Star, central organ of the Ministry of Armed Forces of the Union of the SSR, and direct your
7507 attention to an article which appears on page 4 entitled "Criminals Unmasked and Justly Punished," signed "The Observer," and ask you whether you have ever read that article before. A. Yes, I have read this article.

Q. In your opinion does that article reflect the views and attitude of the Soviet Government toward the charges brought against Petkov? A. Yes, in my opinion it does. It appeared in an official organ of a Ministry of the Government of the USSR, and it expressed complete approval of the substance of the charges brought against Petkov and his co-defendants and expressed approval of the procedures under which the trial was conducted and the sentence executed, and it expressed very strong criticism of efforts by other governments to try to influence this procedure. It is typical of many expressions at the time which appeared in the various organs of the Soviet Press.

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Q. Dr. Mosely, I show you what has been marked for identification as Petitioner's Exhibit No. 310, which is the Daily Worker for Saturday August 9, 1947, and direct
your attention to the article appearing on page 2
7508 headed “Bulgar Oppositionist Was Offered U.S.
Aid”; and also direct your attention to what has been marked as Petitioner's No. 311 and the article on page 2 entitled “Bulgaria Asks Death for Fascist Conspirator.”

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Q. Is the Daily Worker for August 13, 1947; and what has been marked as Petitioner's Exhibit for identification No. 312, which is the Daily Worker for September 24, 1947, and the article appearing on page 2 entitled “Petkov Hung as Traitor.”

(The documents referred to were marked for identification Petitioner's Exhibits No. 310, 311 and 312.)

By Mr. Lenvin:

Q. I ask you whether you have ever read those three articles before.

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Q. Have you read those three items before, Dr. Mosely? A. Yes, I have.

Q. In your opinion do those items reflect the views and
attitude of the Communist Party toward the Petkov
7509 case? A. Yes, in my opinion they do. In summary
form they support the charges brought by the Bulgarian Communist Government against the defendant and

his co-defendants and parallel the line taken by the Soviet press on that same issue.

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7522 Q. I think we had a question pending to the effect of whether or not it was a historical fact that during the past year the United States had made efforts to draft and reach an agreement with other countries on a peace treaty with Japan, and in fact that such a peace treaty was signed at San Francisco very recently. A. Yes, this is a fact. The peace treaty was signed by representatives of 48 governments—

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7523 Q. Dr. Mosely, in your examination of the publications and other material emanating from the Soviet Union have you been able to form any opinion regarding the views and attitude of the Soviet Union regarding this proposed peace treaty with Japan? A. Yes, I have. Through official statements of representatives of the Soviet Union and through comment to the Soviet Press, the Soviet Government repeatedly expressed its opinion both of the procedures by which the treaty was negotiated and the substance of the provisions of the treaty.

Q. I show you, Dr. Mosely, what has been identified as Petitioner's Exhibit No. 314, which is our M-148—

(The document referred to was marked for identification Petitioner's Exhibit No. 314.)

By Mr. Lenvin:

Q. —which is The Current Digest of the Soviet Press for June 16, 1951, and direct your attention to an article entitled "Soviet Remarks on Peace Treaty with Japan," complete text of an article appearing both in Pravda and Izvestia for May 23, Page 2, and which is the text of a document handed to Mr. A. Kirk, United States Ambassador to the USSR by A. E. Bogomolov, USSR Deputy Minister of Foreign Affairs, and ask you whether you have
7524 ever read those remarks before. A. Yes. On the day

following I read the substantial excerpt which appeared in the New York Times. When the text of Pravda arrived I read it in full in Russian, and I have also read the English translation presented as a complete text in The Current Digest of the Soviet Press for June 16, 1951. This is an official document of the Soviet Government.

Q. In your opinion do these remarks reflect the views and attitude of the Soviet Government toward the proposed Japanese treaty? A. Yes, in my opinion they do. They comment on most of the points of the treaty concerning which the Soviet Government has at any time expressed an interest or concern, and it comments on the procedure which had been followed up until that time and proposed for future adoption in completing the treaty, and presented alternative proposals both for procedure and for the substance of the treaty.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 315—

(The document referred to was marked for identification Petitioner's Exhibit No. 315.)

By Mr. Lenvin:

Q. —which is an issue of The Current Digest of the
Soviet Press for September 1, 1951, and direct your atten-
tion to an article appearing on page 6 which is a transla-
tion of an article appearing in Pravda for July 16,
7525 1951, entitled "Separate Treaty with Japan is In-
strument of American Aggression," and ask you
whether you have ever read that before.

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The Witness: Yes, I have read this condensed translation of the article by Mr. Markov in Pravda, July 16, 1951, as presented in The Current Digest of the Soviet Press for September 1, 1951. It is in my opinion an authoritative statement of the point of view of the Soviet Government on both the procedure and the substance of the proposed treaty with Japan. It accuses the United States of numerous violations of agreements, of preparing an aggressive war against the Soviet Union, of enslaving Japan and numerous other allegations.

By Mr. Lenvin:

Q. Dr. Mosely, in your examination of the publications and other materials which have been issued by the Communist Party of the United States, have you been able to form any opinion as to the views and attitudes of that Party toward the proposed Japanese Peace Treaty? A. Yes, I
have. The official press of the Communist Party of
7526 the United States commented frequently on the
course of negotiations for the treaty of peace with
Japan. It has directly paralleled the accusations made in the Soviet Press, and it has called upon the United States to adopt the position taken by the Soviet Government in this matter.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 316—

(The document referred to was marked for identification Petitioner's Exhibit No. 316.)

By Mr. Lenvin:

Q. —which is the Daily Worker for August 23, 1951, and direct your attention to an editorial entitled "Japan and Peace in Asia," which appears on page 5, and ask you whether you have ever read that editorial before. A. Yes, I have read this editorial of the Daily Worker of August 23, 1951.

Q. In your opinion does that editorial reflect the views and attitude of the Communist Party toward the proposed peace treaty with Japan? A. Yes, in my opinion it does. It repeats in summary form several of the principal accusations made against the policy followed by the United States in this matter, and its treatment of the problem and its recommendations are directly parallel to those presented by the Soviet Press.

(Off the record)

7527 By **Mr. Lenvin**:

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 317—

(The document referred to was marked for identification Petitioner's Exhibit No. 317.)

By **Mr. Lenvin**:

Q. —which is the Sunday Worker for May 13, 1951, and direct your attention to an article entitled "Government Seeks to Hold Japan as Colony," and ask you whether you have ever read that article before. A. Yes, I have read this article.

Q. In your opinion does that article reflect the views and attitude of the Communist Party of the United States toward the proposed Japanese Treaty as of that date? A. Yes, in my opinion it does. It repeats in summary form the accusations made in the Soviet Press concerning the procedure and substance of the treaty and recommends full support of the position proposed by the Soviet Government in this matter. Its position is in its main points directly parallel to that taken by the Soviet Government and the Soviet Press in this matter.

Q. Dr. Mosely, it is a matter of historical fact, is it not, that a man by the name of William Oatis was imprisoned in Czechoslovakia—

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7528 **The Witness**: This matter has been widely reported in the Press of different countries and has been the subject of official exchanges of documents which also have been published as between the Government of the United States and the Government of Czechoslovakia.

By **Mr. Lenvin**:

Q. In your examination of publications and other materials emanating from the Soviet Union have you been able to form any opinion as to the views and attitude of the

Soviet Union toward the imprisonment of Oatis? A. Yes, I have. The Soviet Press gave its full support to the position taken by the authorities in Czechoslovakia in arresting, imprisoning and trying and sentencing William Oatis. The Soviet Press expressed full approval and support both of the substance of the charges and the procedures by which this American correspondent was arrested, held in prison and then tried and sentenced.

Q. I show you, Dr. Mosely, what has been marked
7529 as Petitioner's Exhibit No. 318—

(The document referred to was marked for identification Petitioner's Exhibit No. 318.)

By Mr. Lenvin:

Q. —which is The Current Digest of the Soviet Press for August 18, 1951, and direct your attention to a translation of an article which appeared in Pravda for July 5, by A. Bobrovsky, entitled "American Spy in Role of Journalist," and ask you whether you have ever read that before. A. Yes, I have read this in the original as published in Pravda a few days after it appeared in Moscow, and I also read a somewhat condensed text which appeared in the Current Digest of the Soviet Press under date of August 18, 1951. It is in my opinion a forthright support of the action taken by the Czechoslovak government and an outright rejection of the protests which had been made in the free world press as well.

Q. In your opinion does that article reflect the view and attitude of the Soviet Union toward the imprisonment of Oatis? A. Yes, in my opinion it does. It appeared in the official party newspaper, Pravda.

Q. Dr. Mosely, in your examination of the publications issued by the Communist Party of the United States have you been able to form any opinion as to what the views
7530 and attitude of that Party was toward the imprisonment of Oatis? A. Yes, I have. The Press of the Communist Party of the United States supported fully the

charges brought by the Czechoslovak Communist Government and approved fully the procedures applied in the arrest, imprisonment, trial, and sentencing and punishment of William Oatis, and rejected completely all protests made by the United States Government in the defense of a citizen and in defense of freedom of transmission of news in this case.

Q. I show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 319—

(The document referred to was marked for identification Petitioner's Exhibit No. 319.)

By Mr. Lenvin:

Q. —which is the Daily Worker for July 4, 1951, and direct your attention to an editorial appearing on page 5 headed "A Reporter Should be a Reporter," and ask you whether you took that editorial into consideration in arriving at your opinion as to the view and attitude of the Communist Party of the United States toward the Oatis case. A. Yes, I did. In this official publication of the Communist Party of the United States there is a brief but sweeping approval of both the substance of the charges and the procedure employed in convicting William Oatis. There is a rejection of efforts of governments, individuals and 7531 groups outside the Communist-controlled areas of the world to protest against or modify the results of these actions of the Czechoslovak Communist government.

Q. Dr. Mosely, it is a historical fact, is it not, that the Soviet Union, or more specifically one of the spokesmen of the Soviet Union, made a speech in which there was contained proposals for possible peace settlement or armistice in Korea some time around the end of June 1951?

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The Witness: Yes. According to my recollection this occurred on June 23, 1951. Mr. Malik, the Deputy Foreign Minister of the Soviet Union, in a radio address sponsored by the United Nations Organiaztion, suggested that it was time to undertake negotiations to bring about a cessation of hostilities in Korea and to open the way for a longer range settlement of the problems in Korea. Mr. Malik, as a Deputy Foreign Minister and at that time permanent delegate of his government to the United Nations, was in my opinion speaking in his official capacity as the representative of his government. 7532

(Off the record)

By Mr. Lenvin:

Q. I show you, Dr. Mosely, what has been identified as Petitioner's Exhibit No. 320—

(The document referred to was marked for identification Petitioner's Exhibit No. 320.)

By Mr. Lenvin:

Q. —which is The Current Digest of the Soviet Press for July 7, 1951, and specifically direct your attention to page 12 which contains a translation of an article appearing in Pravda for June 26 by M. Kharlamov, entitled "For a Peaceful Solution of the Korean Conflict," and ask you whether you have ever read that before. A. Yes, I have read this article by Mr. Kharlamov in Pravda, June 26, in Russian, and I have also read what purports to be the complete translation appearing in the Current Digest of the Soviet Press for July 17, 1951.

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Q. Dr. Mosely, in your examination of the publications and other materials which have been issued by the Communist Party of the United States have you been able 7533 to form any opinion as to what the views and attitude of that Party were toward the Soviet Peace proposals in Korea? A. Yes, I have. The official press of the Communist Party of the United States has commented frequently on the initial proposal of June 23, 1951, and on the subsequent course of negotiations and non-negotiations.

Q. Now, I show you, Dr. Mosely, what has been identified as Petitioner's Exhibit for identification No. 321—

(The document referred to was marked for identification Petitioner's Exhibit No. 321.)

By Mr. Lenvin:

Q. —which is the Sunday Worker for July 1, 1951, and direct your attention to an article appearing on page 3 entitled "World Hails Bid for Cease-Fire in Korea," and ask you whether you have ever read that article before. A. Yes, I read this article in the Sunday Worker for July 1, 1951.

Q. In your opinion does that article fairly reflect the views and attitude of the Communist Party toward the Soviet Peace proposals? A. Yes, in my opinion it is a typical expression of the views of the Communist Party of the United States. It places the entire blame for the struggle in Korea upon the alleged aggression of the United States and defends the participation of the so-called People's Re-
7534 public of China in that struggle, and it supports the position taken by the Soviet Government and the Soviet Press in this issue. It also urges that the United States Government adopt the position advanced by the Soviet Government. In my opinion it supports and is directly parallel to the position adopted by the Soviet Government and expressed by that government directly through official statements and through the Soviet Press.

Q. I also show you, Dr. Mosely, what has been marked as Petitioner's Exhibit for identification No. 322—

(The document referred to was marked for identification Petitioner's Exhibit No. 322.)

By Mr. Lenvin:

Q. —which is the Daily Worker for July 2, 1951, and direct your attention to the editorial appearing on page 5 entitled "Korea's Lessons" and ask you whether in arriving at your opinion as to the views and attitude of the Communist Party of the United States toward the Soviet peace

proposals you took that editorial into consideration. A. Yes, I did. This official statement of views of the authorized organ of the Communist Party of the United States places again all blame for the military struggle on the alleged aggression of the United States, its desire allegedly to destroy China and to conquer the world. It finds good only in the so-called peace policy of the Soviet Union and urges that the Soviet policy be adopted by the United
7535 States. In my opinion it is directly parallel to the Soviet policy on this question.

Q. Finally, Dr. Mosely, I show you what has been marked as Petitioner's Exhibit No. 323—

(The document referred to was marked for identification Petitioner's Exhibit No. 323.)

By Mr. Lenvin:

Q. —which is the Daily Worker for July 17, 1951, and direct your attention to an article appearing on page 1 entitled "Communist Party asks People Unite for Korea Armistice and World Peace," and ask you whether you have ever read that before. A. Yes, I have read this statement of the Communist Party of the United States and the article in which it is embodied.

Q. In your opinion does this article reflect the views and attitude of the Communist Party toward the Korean peace proposal as of that date. A. Yes, in my opinion it does. It blames the Government of the United States and various circles in the United States for alleged delays in carrying on negotiations for an armistice and accuses them of desiring the continuation and expansion of the war and of threatening China. Its position on this question is directly in support of and parallel to the position and proposals ad-
7536 vanced by the Soviet Government.

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7538 Q. I show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit for identification No. 324—

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Q. —which is the issue of Moscow News for March 22, 1939, and direct your attention to page 24, which contains a reprint of note of M. M. Litvinov, People's Commissar of Foreign Affairs, of March 18, to the German Ambassador, and ask you whether you have ever read that before. A. Yes, I have read this note of former Commissar Litvinov of March 18, 1939. I read it in the New York Times on the day following its issuance in Moscow, and I have studied it several times in Russian as well as reading this authorized English translation published in the English language newspaper issued in Moscow at that time. 7539

Q. In your opinion, Dr. Mosely, does that note fairly reflect the attitude of the Soviet Union toward Nazi Germany as of that date? A. Yes, in my opinion it does. It is an official statement of the authorized spokesman of the Soviet Government on foreign policy, and it denounces the recent actions of the German Government as arbitrary, violent and aggressive and states that Germany has created the danger to peace through its aggressions.

Q. I also show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 325—

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Q. —which is the Moscow News for March 27, 1939, and direct your attention to an article on page 14 entitled "Britain and France Face Two Alternatives," by Politicus, and ask you whether you have ever read that before. A. Yes, I read this shortly after it was issued in Moscow, and I have read it since. 7540

Q. In your opinion does that article reflect the views and attitude of the Soviet Union toward Nazi Germany as of that date? A. Yes, in my opinion it does. It states that there could no longer be any doubt but that Germany aims to dominate Europe and perhaps the entire world, and this view was expressed repeatedly by the Soviet spokesmen of that time and by the official press.

Q. Dr. Mosely, I show you what has been marked as Petitioner's Exhibit for identification No. 326—

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Q. —which is the Daily Worker for August 18, 1939, and direct your attention to an editorial appearing on page 6 entitled "Again 'Danzig' Is Only a Fascist War Pretext," and ask you whether you have read that editorial before. A. Yes, I read it at the time and since.

Q. In your opinion does that editorial fairly reflect the views and attitude of the Communist Party toward Nazi Germany as of that date? A. Yes, in my opinion it does. It is an editorial of the official organ of the Communist Party of the United States. It argues that Nazi expansion 7541 has no limits, that all nations which wish to remain at peace are endangered by Nazi expansion. It urges International cooperation to check this expansion. Its point of view, of which this is only one of many examples, in those months and years was directly parallel to the view expressed in the official organs of the Soviet Government at about that same time.

Q. I also show you, Dr. Mosely, what has been marked for identification as Petitioner's Exhibit No. 327—

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Q. —which is the Communist for May 1939, and direct your attention to an article entitled "May Day in the Struggle for Democracy and Peace," by I. Amter, and I ask you whether you have ever read that article before. A. Yes, I have.

Q. In your opinion does that article reflect the views and attitude of the Communist Party of the United States toward Nazi Germany prior to the Hitler-Soviet Pact? A. Yes, it does in my opinion. Mr. Amter was then a leading member of the Communist Party in the United States, writing in the official magazine of the Party. In his review of the World Situation for May Day 1939 he declared that the Fascist Axis powers were aiming at world domina- 7542 tion. His analysis and views as expressed in this article and on this topic in my opinion are directly parallel to those of the Soviet Government expressed through official Soviet spokesmen and the official Soviet Press.

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7552 **Frank Straus Meyer** recalled as a witness for Petitioner, having been previously duly sworn, was examined and testified further as follows:

DIRECT EXAMINATION—resumed

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7560 MR. LAFOLLETTE: Mr. Meyer, at the time that you were in charge of schools of the Respondent for the District in which you were the head, did you or did you not have any occasion to teach the students at the school what the principles of scientific socialism, Marxism and Leninism was?

THE WITNESS: Yes, sir; definitely.

MR. LAFOLLETTE: During that time when you were in charge what did you teach?

MR. ABT: I object.

MR. LAFOLLETTE: The objection is overruled. Proceed.

THE WITNESS: I taught that Marxism-Leninism, that is, the principles of scientific socialism—the phrase is in apposition—was the teaching of Marx, Engels, Lenin and Stalin, and of the Communist International and the leaders of the Communist Parties, which is a body of—I think "doctrine" is probably not the word I used, but doctrine will do—a body of doctrine which is first a philosophy of
7561 history, secondly a guide on the basis of that philosophy of history to the leading party of the working class, that is to say, the Communist Party, in carrying out its historical role or mission, which is to overthrow the capitalist system and political states founded on the capitalist system, to destroy the economic organization on which that society is founded and its political system, to replace it with the dictatorship of the proletariat, to establish socialism, which is to lead to the stage of Communism.

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By Mr. Story:

7572 Q. Mr. Meyer, I hand you a book which purports to be the history of the Communist Party of the Soviet Union, which has been marked for identification Petitioner's Exhibit No. 330, and ask you if you can identify the book. A. This is the trade edition of the History of the Communist Party of the Soviet Union (Bolshevik).

Q. Is that the book which you have testified to on September 24, 1951, as being the central textbook of the Communist Party after it had been released in this country? A. That is the book.

Q. Has this book to your knowledge appeared in more than one edition? A. When it first appeared it appeared in an edition that was bound, as I remember it, in red cloth, which was the edition circulated through the Party and through Party outlets, the one of which a large number were sold, and this as I remember it was the trade edition, that is, the one sold in bookstores, released through ordinary 7573 book outlets and so on. It cost about 2½ times as much. There may have been later editions later but those are the two I know of.

Q. Did you use that trade edition in your educational work? A. Irrespective, one or the other. There is no difference in text as I know. They could be used interchangeably, the trade edition and the cheaper edition.

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7601 Mr. LaFollette: Mr. Meyer, while you were educational director in the district of which Chicago was 7602 the head, did you teach or cause to be taught in the classes which you conducted or caused to be conducted anything with reference to the preamble to the constitution which has been marked for identification Petitioner's Exhibit 328?

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The Witness: The 1938 constitution?

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The Witness: The 1938 constitution, yes, sir.

Mr. LaFollette: What, if anything, did you teach?

Mr. Abt: May the record show a continuing objection?

Mr. LaFollette: Yes, it may, Mr. Abt.

The Witness: That the guiding clause of the preamble, the decisive clause of the preamble, was the one which begins on the next to the last line on page 5, that is, "by the establishment of Socialism, according to the scientific principles enunciated by the greatest teachers of mankind, Marx, Engels, Lenin and Stalin, embodied in the Communist International"; that that clause is the equivalent of the statement "in accordance with the principles of Marxism-Leninism," which earlier today I defined.

Mr. LaFollette: Had you finished?

The Witness: No, sir. And that therefore all other sections of the preamble are to be understood in the 7603 light of Marxism-Leninism, that is to say, that the Marxist-Leninist interpretation of history and of the meaning of history and of its traditions is to be decisive. For example, that "carrying forward today the traditions of Jefferson, Paine, Jackson and Lincoln, and of the Declaration of Independence," is understood as meaning the central historically valid principles enunciated by these men and by the declaration, not the accidental class dress in which they were embodied at the time. Therefore, statements of Jefferson or of the Declaration which are in accord with the historical analysis of Marxism-Leninism are considered as being traditions which the Communist Party stands for; limited—speaking in terms of Marxism-Leninism—limited interpretations such as the defense of private property which are contained in much of the thinking of at least Jefferson and Lincoln in this respect, and of the Declaration of Independence, are to be considered as temporary class forms in which the basic fundamental principles are dressed.

Or, again, and in fact in this case a certain aspect of what I am about to say was pointed out directly, "defend the United States constitution against its reactionary enemies who would destroy democracy and all popular liberties."

This was interpreted in the light of Lenin's teachings in the book "The Tactics of the Social Democracy," which is summarized in the History of the C.P.S.U., one of
7604 the earlier chapters, where it is made clear that the Communist Party, the Party of the working class, will support bourgeois democratic institutions against a more reactionary attack, which would make it less possible for the revolutionary movement to go forward, but will just as quickly destroy them when at a later time or at a different time these bourgeois democratic institutions stand in the way of the triumph of the proletarian revolution.

So it was advisedly—and this I know from the discussion at the convention at which I was present—it was advisedly that that sentence read "defend the United States Constitution against its reactionary enemies." It does not say anything about defending the United States Constitution against the working class, against the proletarian revolutionary movement or anything of the sort. There is no comma there. It is a straight statement that it defend itself under these circumstances.

I won't go into further examples, but in general I will simply summarize by saying that any statement in this preamble which seems or appears to be in contradiction to the principles of Marxism-Leninism is by the guiding clause null and void, so to speak, and all sentences or phrases are to be understood in the light of the teaching of Marxism-Leninism, that is, to be understood as in accord with the proletarian revolutionary theory of Marx, Engels, Lenin,
7605 Stalin and the Communist International.

Mr. LaFollette: Is what you have just testified to something that you are relating to us or did you at any time teach it?

The Witness: In substance I taught it.

Mr. LaFollette: Was your teaching of it known to any of your superiors in that district at the time you taught it?

The Witness: In general it was known because the question of the use of the preamble of the constitution as the center of the course on the Party, which was part of all full time training schools, was discussed with them in some detail.

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7606 CROSS EXAMINATION

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By MR. MARCANTONIO:

7661 Q. I am asking you, didn't you teach this line? Wasn't that the line at that time of the Communist Party that you taught?

MR. LAFOLLETTE: Mr. Meyer, I will permit you to elaborate, but you were asked whether or not you were directed to teach and did teach in the manner in which Mr. Marcantonio asked you. It is whether you were directed so to teach.

THE WITNESS: Essentially I was directed to teach in accordance with Marxism-Leninism and as a higher educational authority on a given crux point that one came to, one utilized material as everyone else did along similar lines and in general agreement to, shall we say, reconcile statements with fundamental statements of Marxism-Leninism. In the school of which I am speaking, which is a closed party school on the district level, where I taught the purpose of the Party it was necessary to point out, to answer your question, in terms of Lenin's and Stalin's writings, that is to say, that the revolutionary transformation can not occur—this is the theory I taught—against the will of the majority, but the majority is only passive, and the defensive action of the leading vanguard of the proletariat is essential to achieve it. You can find this documented all through Lenin's works. Therefore I can't answer your question "yes" or "no," not against the majority certainly, but certainly not quite as you put it.

7662 By MR. MARCANTONIO:

Q. How about with the majority? A. An impossibility from the Marxist-Leninist point of view. The majority doesn't act.

Q. You said certainly not against the majority. A. Certainly not against the majority. That is the theory. I don't think any of that is fact. It is theory. I said the theory was.

Q. I am talking about the teaching, Mr. Witness. A. I am speaking of the teaching.

Q. You certainly did teach that they could not go against the majority? A. Yes, that the majority must be either neutralized or in general support.

Q. Or in support. A. In general support. Neutralized or in general support.

All this of course refers to the working class, the majority of the working class, and so on, whose definition in turn sometimes is wide and sometimes is narrow.

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7668 **Mary Stalcup Markward** was called as a witness for Petitioner, and being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

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By MR. TAYLOR:

7675 Q. While you were supplying the Federal Bureau of Investigation with information, Mrs. Markward, were you paid any salary by them? What sort of financial arrangements did you have with them? A. I was not paid a salary by the Federal Bureau of Investigation. Nothing I did for my government was contingent upon receipt of any money from the Federal Bureau of Investigation or from any other government agency.

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7676 Q. Did you receive any money from them at all? A. I did receive contributions to the expense of the work I was doing from time to time.

Q. What sort of things would they be? Make exactly clear just what sort of arrangements you had. A. In this type of activity I was doing, it was very necessary to pay dues, to make contributions, to buy literature, that type of thing, and other incidental things.

Q. Transportation to Washington. A. Yes, that was part of it.

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7698 Q. Were members of this government group either transferred into the District organization or transferred out of the District organization?

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7699 THE WITNESS: In my position as membership secretary of the Communist Party of Washington, I had occasion to transfer Communist Party members into this government group. I had occasion to receive transfers from a person who had been in this group and who had left government employ and desired to become a member of the more open Party group.

I also at times acted as courier for whoever was handling the business of transfers within that group, and would give them to another person who had been responsible for membership in the District of Columbia, who gave them to me to transmit them to the District leadership. It was transfers of these people into and out of town, and to various parts of the country, to find their reliability and so forth as Communist Party members.

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7706 Q. I believe you stated that after the city convention in 1945, the Communist Party in the city was broken down into trade union clubs. I don't recall whether you mentioned that any other clubs were in existence or not. Would you state whether or not there were any other clubs? A. There were other clubs. The trade union was the basic orientation of the Party. But the white collar clubs continued in existence, and two community clubs continued. They were smaller because the trade unions had been taken out. At a later date, a youth club was also formed at that time.

Q. Were these clubs referred to by any proper name? A. During the period of organization of these clubs, we discussed organized laborers club, and a buildings trades club, and an A.F.L. club, but immediately subsequent to the time these organizations were established, the clubs were asked to assume names so that when we were discussing—for instance, the A.F.L. club would assume the name of William Z. Foster Club, and when we said that the William Z. Foster Club had 20 members, we were not saying there were 7707 20 members in the A.F.L. club. The laborers club took the name of William Douglas Club, for the same reason. In other words, we would not say that there were five members who were laborers in the City of Washington. Almost all of the clubs did adopt names which would not immediately identify their membership.

Q. Do you know the names of any others? A. The Charles Krumbein Club. After the death of Charles Krumbein, who had been the national treasurer of the Communist Party, they took that name for their club.

Mr. LaFollette: What year was that, that they took the name?

The Witness: I am not positive. Probably in 1947. I don't know.

Mr. LaFollette: You say probably in 1947?

The Witness: I say probably in 1947. I am not completely sure.

By Mr. Taylor:

Q. Were any security measures taken? I am speaking of the time when the Party was reconstituted to the Communist Party of the United States.

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7708 The Witness: Immediately after the establishment of the many smaller Communist Party clubs in the city of Washington, when each club had its own membership list and it was firmly established what member belonged to what club, the master membership list for the city was removed from my custody and put under lock and key. In 1946, I was told by Elizabeth Searle that this master membership list had been destroyed. The clubs were—

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The Witness: The clubs were at that time encouraged to not keep a complete list of names and addresses, but to put it in such form they would be able to find their members but it would not be evident if someone else should happen to get hold of a list.

Do you wish me to continue with the security?

Mr. LaFollette: Were there any other actions taken of a similar character?

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7709 The Witness: The clubs were instructed to cease to mail notices of meetings, and the Party members were instructed to cease using the telephone for inter-party conversations, particularly with reference to notifying members of meetings. All this was supposed to be taken care of by personal contact. I will note that all of the clubs did not completely follow this discipline at this time.

Mr. LaFollette: "This time" is when?

The Witness: In 1946. There was additional crackdowns at later dates which made them really begin to follow these security measures.

Mr. LaFollette: What were the later dates?

The Witness: In 1948, there was a new order put out. I will say that the industry clubs, the white collar clubs, where there were smaller memberships, did follow this in the earlier days. But in the community clubs where most of the members were known Communists anyway, they were a little more careless about their notification of meetings and that type of activity. But by early 1949, there was an ironclad rule that all the clubs follow that rule.

7710 By **Mr. Taylor**:

Q. Can you recall any other measures which the leadership in the District of Columbia considered security measures? A. The group system was established. It was something that was a part of the Communist Party during the time I was there, that the leading members would have a group of two or three members who were not so active whom they would contact to take literature to, collect dues, notify of meetings, and that type of thing. Something that not too much emphasis had been placed on in the past. But this became a part of the security apparatus. The clubs were instructed to be sure that the whole membership was assigned on a group system, that some of the Party work was carried on the group system and in 1948 the clubs were instructed to have group meetings so that the groups could begin to take over the whole work of the Party clubs instead of a general Party club meeting.

In 1949, it was a practice to have the groups meet. This would be a group of three to five members, rather than a group of the whole club, which would meet instead, and it was a rare thing to have a whole club meeting in 1949 when I was last active.

Q. Were any instructions transmitted concerning action Party members were to take in the event of an emergency?

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7711 **The Witness**: In 1947, this was some time prior to the time that the group system was firmly established and something that was ready to go to work at that time, I was instructed by William Taylor or the Party Chairman at that time, that should any of the Party leaders be placed under arrest, the Party leadership in the District of Columbia, that I should go to work in one of the mass organizations in which the Communists had some influence in the city, and I would be contacted then by the Party leadership and given a Communist Party Assignment compatable with whatever I would be able to carry out with whatever conditions should exist.

By Mr. Taylor:

Q. Were you provided with any funds to use in case of emergency? A. I was given a sum of $25 at this time as were all of the functionaries of the Communist Party.
7712 We were instructed to never have less money than this on our person at any time. We could use this to make telephone calls and anything which was necessary to notify the Party leadership should anyone be arrested to see that we could get legal counsel and any incidental expenses which should come up in case of any of the Party leaders being apprehended.

Q. Who gave you instructions as to what use you would make of this $25? A. This was discussed in the city staff by William Taylor, Elizabeth Searle and myself. The proposal was made to the City Committee, and it was approved by the City Committee and after this approval it was carried out.

Q. As treasurer of the City Committee, were you given any instructions concerning the dissemination of information about money from dues or contributions? A. Prior to the time when it became a Party policy to refuse to answer any question on the ground of self incrimination under the First and Fifth Amendments, I was instructed by William C. Taylor that should I be asked for information as to where the Party funds of which I was custodian came from, I was to state that he gave me all the Party funds which I received, rather than the fact that I was getting these funds from various individual Party members and various Party clubs.

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7713 Q. When was the policy of refusing to answer any questions about Party affairs adopted, and I am referring to the policy which was adopted locally.

Mr. Marcantonio: Referring to what policy?

Mr. LaFollette: The policy that was adopted locally.

The Witness: This policy first came to my attention when one of our Party members was in court in Virginia in connection with a trade union case, and he was asked was he a Party member, and he denied he was a Party member. This was a Party person who had been a known Communist for many, many years in Washington. At a City Committee meeting following that occasion, the resignation was post dated for this member to state that he was not a member on the date he said he was not a member, and he was re-recruited, and this member was told he should have taken the policy of the Hollywood Ten who had refused to answer questions before the Un-American Activities Committee, and realized that was the sensible thing to do. It was subsequent to this that a number of local party members were subpoenaed to appear before the Un-American Activities Committee and each of these were called before a special meeting with the top Party leadership and instructed on the things that they were to do before the House Committee on Un-American Activities. In each case they refused to answer questions about their Party membership. 7714

Mr. LaFollette: Can you recall the date of this event in Virginia about which you testified?

The Witness: My best recollection would be that it would be very early 1948.

By Mr. Taylor:

Q. What was the name of the Party member who had denied membership in the Party in Virginia? A. Clarence Gurwitz. He was known as Casey in Party circles.

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7715 Q. Was there a registration conducted by the Communist Party in the District of Columbia in 1948? A. You mean for the year 1948?

Q. Yes. A. Yes, there was a registration conducted in the late months of 1947 and very early 1948. In this registration, Party books were issued, Party registration cards were returned.

Q. Were the members instructed whether or not they were to place their names on the registration cards? A. They did not place their names on the registration cards, and it was left to the discretion of the individual member whether or not he would place his name in his Party book. He kept that in his own custody.

Q. Was there a registration conducted for 1949? A. There was. On this occasion, no Party book was issued. Instead of registering any individual Party member, it would be done in a group of three people so you could not by
7716 just looking at a description of the person's age, employment, sex, race, where he was born, and so forth, deduct who any individual Party member was.

Q. Was any policy adopted in 1948 concerning membership lists? A. Clubs were given a very firm demand that they take a census of the Party club members to see whether anybody had a list and to be sure that any list in existence was destroyed at this time.

Q. Will you trace for us the method of transfer of members into and out of a local Party which was employed by the Communist Party subsequent to its reconstitution in 1945 and from that time until you ceased being active in 1949?

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The Witness: At the time the Party was reconstituted, there was in use by the Communist Political Association of the Communist Party a transfer card which had a serial number on it. It came in two sections, one to be given to the member transferring, one to be sent to the place to which he was transferring. It would contain his name, address, party book number, and the club from which he was coming, and the club to which he was to be assigned.

After the reconstitution of the Party, these trans-
7717 fers which had formerly been sent to a letter drop were taken entirely by courier instead of being sent through the mails on any occasion. Then it became the policy to not use the transfer card at all. The form—

Mr. LaFollette: Before you go any further, can you give us some idea of the times at which these changes took place?

The Witness: I believe perhaps the transfer form was not used after 1947 at the latest. These were sort of transition things, sometimes the policy would be to stop and someone would still use it. Also I would say the number of transfers, particularly in and out of Washington, slowed up with the end of the war, and that period. By 1949, instead of giving a member a transfer card, they would take a dollar bill and tear it in two, and the member would retain one half and the other half would be sent to the point of his destination so they could match the serial number when he arrived. But they were very, very careful about transferring a member. If anyone was in any way suspected in the least, they just didn't receive a transfer.

By Mr. Taylor:

Q. Were there any occasions at which you were present when Party members posed as non-members for the purpose of carrying out an assigned task?

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7718 The Witness: There was one specific instance during the period of the Communist Political Association when a Party member, a woman member of one of the white collar clubs, by the name of Sally Balik, had been assisting me with membership work prior to this time, and she came and informed me that she was not going to be a member of her white collar club any more, that Elizabeth Searle had asked her to be a go-between. I know Sally Balik stayed in the city of Washington. I saw her in the street, and had a friendly conversation with her at a later date, but she was never returned to our Party rolls as a Party member.

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Q. Do you recall any other instances? A. There was another occasion toward the very end of 1949, one of the last meetings I attended of the City Committee, when we were looking for a replacement for a member of the City

7719 Committee, and Gertrude Evans, who is a long time Communist Party member in Washington, D. C., very respected by all the other members of the City Committee, she was suggested to be this replacement, and we were informed by the leadership that she was not available to take the post. The members of the City Committee protested this, saying that at this particular period in the late fall of 1949 certainly we needed the very best persons on the City Committee. They were told in fact to shut up and not talk about any member who has been made unavailable for any Party post. If the City leadership decides they are unavailable, then the rest of the City membership should just take it for granted that they are not to be discussed in any Party committee for any such post as this.

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Q. Did you attend any meetings which were held under security conditions? A. I did.

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7721 Q. Describe the meeting. A. In March 1949, the District Committee of the Communist Party held a very special meeting. It was considered a dry run, so to speak, to see how they could operate if they were under extreme attack.

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7722 The Witness: We were instructed as a matter of fact that this was such a meeting because we were supposed to use extreme security measures, and being certain we were not followed to our point of assembly. On my occasion, a group of five Party members in the District of Columbia met on a certain street corner at a certain minute. We did not wait for one of the Party members who was supposed to go with us who did not arrive on time. When we aproached the City of Baltimore where this meeting was to be held, one of the Party members opened sealed orders which he had in his pocket which told him an address to which we were supposed to proceed and the specific minute at which we were supposed to arrive.

Various other groups of the District Committee—in other words, active members who were not necessarily members of the District Committee, were present at this meeting—and I started to state other groups were proceeding in very much the same manner as we were, each at a different time at which to arrive, but always within a very short period of time. The method of leaving the meeting was very similar so they did not turn the meeting into the streets of Baltimore at the same time.
7723

By Mr. Taylor:

Q. Who presided at the meeting? A. Phil Frankfeld.

Q. Who is he? A. District chairman.

Q. Will you tell us what transpired at that meeting? A. The chief topic of discussion at that meeting was the question of the statement which had been made by Thorez, one of the French Party leaders, that the Communist Party members of France would not bear arms against the Soviet Union. This was the essence of what the statement was. The Communist Party leaders around the world had made similar statements. Eugene Dennis, I believe, in the name of the Communist Party of the United States had issued a similar statement. I believe William Foster joined with him in this statement, if I am not mistaken. Phil Frankfeld had made a statement to the Baltimore Sun along the same line, stating that the members of the Communist Party would not bear arms in any conflict beween the United States and the Soviet Union.

7724 The point for discussion was approval of this statement which had been made by Phil Frankfeld. The sense of the persons there was unanimous approval with the exception of one Party member who thought that the timing of the statement was poor, since the leaders of the Communist Party were then undergoing the trial. He was censured at that time and referred to the District leadership for further discussion to see that he should change his mind and agree that no Party member should bear arms against the Soviet Union.

By the time the discussion around this was through, when the time came to vote on this approval of Phil Frankfeld's statement, it amounted to every person there taking an oath there that they would not bear arms against the Soviet Union.

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7751 Q. Did the Communist Party of the District of Columbia have any provision for the distribution of the Cominform bulletin, "For a Lasting Peace, for a People's Democracy!" to its members? A. Yes, they did. There 7752 was a decision made by the City Committee—I am certain this was carried out subsequent to the 1948 convention, which was held about August of 1948, whether it was carried out prior to that, I am not certain at this point—that free copies of the Cominform bulletin and of the Political Affairs would be made available with each issue to each member of the City Committee.

Q. Did the Communist Party for the District of Columbia conduct fund drives for the Daily Worker? A. They did. There was an annual fund drive.

Q. Did they conduct any while you were treasurer of the Communist Party for the District? A. There was one each year.

Q. Do you recall what those years were? A. I believe I took office in 1944, subsequent to the fund drive, so it would be '45, '46, '47, '48 and '49.

Q. What disposition was made of the money collected in the Daily Worker fund drives? A. A percentage of the money was kept for the overhead of the Communist Party in the District of Columbia. An additional percentage was forwarded through the District headquarters, some of which was retained in the District for the overhead of the District organization, and the remainder of which was forwarded to the national office to go to the National Communist 7753 Party and to the Daily Worker. In 1949, because the Washington, D. C. Daily Worker was in debt, 10 per cent of the money as it was collected was assigned and given to the Washington Daily Worker office.

Q. Did you as treasurer participate in the distribution of these funds? A. I signed the checks by which this money was distributed.

Q. Did any of the Communist Party members with whom you came in contact in the District tell you that they had attended the Lenin Institute in Moscow?

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The Witness: William Taylor told me on more than one occasion in informal person to person conversation that he, I believe in the year 1935, had gone to Moscow.

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7761 Q. Did the local leadership of the Communist Party, that is the District of Columbia, sponsor a study of the so-called Classics of Marxism and Leninism? A. Yes, they did.

Q. Can you remember any instances at which study was sponsored and any books or pamphlets which were mentioned in connection with the study? A. On May 10, 1948, at a city board meeting, William Taylor, the Party Chairman, suggested that every board member read "Foundations of Leninism," "Mastering Bolshevism," "History of the Communist Party of the Soviet Union," and "The Constitution of the Communist Party of the United States." In addition to the board members, he wanted the club educational directors and leading members of the clubs to read, study and become thoroughly familiar with these basic works.

(The document referred to was marked for identification as Petitioner's exhibit No. 335.)

By Mr. Taylor:

Q. I show you Petitioner's Exhibit 335 for identification, and which is a pamphlet entitled, "Mastering Bolshevism" by Joseph Stalin, and I ask you if you read or studied
7762 a similar pamphlet with the identical text as that pamphlet in front of you. A. Yes, I did.

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7763 Q. Did the Communist Party of the District of Columbia ever initiate a series of courses on any of the classics? A. They did. There was a series initiated in the early months of 1949, called the ABC's of Marxism. One class was held on the 25th of February 1949. The reading material for that class was "Imperialism" and "State and Revolution."

Mr. LaFollette: "Imperialism" is one book, and "State and Revolution" is another book?

The Witness: That is right. The instructor at that
7764 class was Isador Pascoff, who had the title of educational director for the city.

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The Witness: His remarks on imperialism dealt mainly with the Marshall Plan. He stated that it was a pump priming thing which was certain to lead the United States to bankruptcy.

The second class was on the "State and Revolution" pamphlet, but one of the key centers of discussion was again the Foster-Dennis statement on the Thorez statement. Isador Pascoff stated that this had more than normal significance for members of the Communist Party in the United States. He compared the socialist government in the Soviet Union to the American form of government with the favorable comparison going toward the Soviet government.

Mr. LaFollette: When was this second one held?

The Witness: That was on March 4. On February 25, we had a class conducted by Charles Payne. The subject matter for that class was on "Socialism, Utopian and Scientific." There he stated that with the growth of imperialist nations, specifically speaking of the United States, that the world would be divided into two camps, that it would
7765 be the imperialist camp and that of the democracies moving towards socialism and these democracies moving towards socialism would be bound to be triumphant in the future.

By Mr. Taylor:

Q. What did you say the date of the class conducted by Mr. Charles Payne was? A. March 25.

Mr. LaFollette: You said February. Do you mean March?

The Witness: I meant March. The first class was on February 25.

Mr. LaFollette: Was the class held by Pascoff—

The Witness: February 25.

Mr. LaFollette: And a class by Pascoff.

The Witness: On March 4, and one by Payne on March 25.

Mr. LaFollette: All right.

The Witness: That is the extent of the classes.

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By Mr. Taylor:

7766 Q. Do you recall hearing Alexander Trachtenberg speak? A. Alexander Trachtenberg attended a City Committee meeting in May of 1949. He did not make a major speech but took part in the discussion by the members of the committee. The essence of what he contributed to the discussion was that there was a need to raise the level of understanding of the Marxist classics by the leadership and by the general membership, that the only Communist who could be expected to stand up under attack would be one who was thoroughly based in the Marxist classics. He mentioned that the Jefferson School in New York was being used to train and teach Communist leaders. He stated that every club of the Communist Party should have a set of the Lenin Library, and if it was not possible for them to obtain a set of the Lenin Library, they should have as a minimum a set of the Little Lenin Library.

In addition to that, he stated that it was the duty of all Communist Party leaders to be so thoroughly familiar with the Communist Party classics that they could readily refer to them to help them analyze any current situation, to be able to apply the basic Marxist principles to any current situation at any time.

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Q. Mrs. Markward, on the basis of your active par-
7767 ticipation in the Communist Party for a six year
period, can you recall any instances in which criticism
was leveled by the local party leadership or by the national
Party leadership against the policies or activities of the
Soviet Union?

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The Witness: I do not.

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7768 Q. In those instances in which policies of the
United States Government and the foreign policy
of the Soviet Union appeared to be in conflict, did the
leaders of the Communist Party either nationally or
7769 locally to the best of your knowledge ever express
sympathy with the policies of the United States Government? A. They did not.

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7788 CROSS EXAMINATION

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7791 Q. And an agent from the FBI called to see you?
A. That is correct.

Q. It was then that he suggested that you act as an informer for the FBI, is that right? A. It was there that we had a discussion about the role we felt the Communist Party in the United States was playing, and I volunteered that if it would be any help for me to join the Communist Party and furnish this information, I would like to do it.

Q. Was it you who volunteered the idea of joining the
Communist Party or was it he who suggested it to
7792 you? A. I believe the question was how could I as
a patriotic American citizen help my government
through the FBI in this connection. He said that the way would be to join the Communist Party and furnish information.

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7793 Q. Was it then at the second appointment within one or two weeks after the first that you agreed to work for the FBI? A. That I agreed to join the Communist Party and furnish information to the FBI, yes.

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Q. Then what financial arrangements were made? A. I volunteered to do this service without remuneration of any kind. We didn't make any formal financial arrangements.

Q. Did you make arrangements for payment of expenses? A. I at no time ever submitted a statement for expenses that I wanted them to pay me or that they should pay me.

Q. At no time you submitted such statement of expenditures? A. No.

Q. But you did receive money for expenditures that
7794 you did incur? A. That is right.

Q. What moneys did you receive? A. They were irregular amounts at irregular times.

Q. Such as how much? Irregular amounts at irregular times, you say? A. That is correct.

Q. Can you give us an idea what you received? A. I really can't.

Q. You worked for them for how many years? A. I was engaged in this activity from May of 1943 until October of 1949.

Q. From May of 1943 to 1949? A. That is right.

Q. During these six years from time to time you did receive money which you say was in the form of reimbursement? A. That is about what it amounted to, yes.

Q. When you say that is about what it amounted to, can you tell us what you received, for instance, in 1944? A. I can not.

Q. Or in 1945? A. I can not.

Q. Or in 1946? A. I can not.

Q. 1947? A. I can not.

7795 Q. 1948? A. I can not.

Q. 1949. No, sir. Neither can I tell you what I spent during those years.

Q. You can't tell us what you spent in 1949? A. No, sir.

Q. When you say you didn't submit bills, how did you obtain the reimbursement? You conferred with someone in the FBI and told them what your expenses were? Is that the way you worked it? A. I had periodic meetings with the agents of the Federal Bureau of Investigation, who from these reports had an idea of what I was doing.

Q. You gave them an idea of what expenses you needed? A. I didn't suggest that I needed any expenses.

Q. Did you receive money during this period? A. I did, at their initiative.

Q. I beg your pardon? A. It was at their initiative, not mine.

Q. But you did receive it? A. That is right.

Q. Did you give receipts for these moneys? A. I did.

7796 Q. Itemized receipts? A. No, sir.

Q. Can you tell us in all what you received from the FBI in this period, the full amount? A. I have no idea.

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7799 Q. They advised you to do certain work within the Communist Party? A. No, sir.

Q. Did they advise you to go out and get subscriptions for the Daily Worker? A. No, sir. The Communist Party advised me to do that.

Q. Did the FBI ask you to give them the names of the people who subscribed, whose subscriptions you obtained? A. They did not ask me to do that, but that was among the things I did.

Q. You did? A. Yes.

Q. For instance, you obtained subscriptions in certain sections of the city of Washington? A. That is correct.

Q. You went from door to door? A. That is correct.

7800 Q. Asking people to subscribe to the Daily Worker? A. That is correct.

Q. At that time what did you tell them? You went into Negro communities, did you not? A. Negro and white communities.

Q. In the Negro communities you told them that the Daily Worker was a newspaper that was fighting for full citizenship for the Negro people? A. That is right.

Q. On that basis you obtained subscribers? A. A few, yes, sir.

Q. I beg your pardon? A. A few subscriptions, yes, sir.

Q. And those are the names of people that you turned in to the FBI? A. They were among the names.

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7845 **Herbert A. Philbrick** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

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7846 Q. Have you ever been a member of the Communist Party of the United States? A. Yes, I have been a member of the Communist Party.

Q. Between what years were you a member of the Communist Party? A. I was a member of the Communist Party from 1944 to 1949. 7847

Q. Were you a member of the organization known as the Communist Political Association? A. Yes, I was also a member of the Communist Political Association.

Q. From 1944 through 1949 you had continuous membership in one or the other organization? A. Yes.

Q. Had you come into contact with any Communists before 1944?

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THE WITNESS: Yes, I was a member of the Young Communist League before that time, having joined the Young Communist League in March of 1942.

BY MR. TAYLOR:

Q. How long had you been a member of the Young Communist League? A. From March, during March, 1942, I guess you could say I remained a Young Communist right up until the time I joined the Party, although the Young Communist League itself was dissolved in 1943.

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7859 Q. What source of activities did you engage in between March of 1942 and March of 1944 while you were a member of the Young Communist League? A. Those two years were two very busy years. I found myself engaged in a great many activities. For example, an organization known as the Cambridge Committee for Equal Opportunities was organized by the Young Communists in Cambridge, Massachusetts, and I became one of the sponsors of that group. I sold Daily Workers door to door. I
7860 made collections for Russian war relief in Cambridge. In addition, I attended Young Communist League conventions. My biggest assignment by the Party during that time was to attend a convention in New York City. I believe that was in the fall of 1943, when the Young Communist League was dissolved and an organization known as American Youth for Democracy was formed. I subsequently became the state treasurer of American Youth for Democracy, one of the five top youth leaders of that organization.

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Q. Just what was the organization known as American Youth for Democracy?

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The Witness: American Youth for Democracy was what is known by Communists as a coalition group, composed not only of members of the Communist Party but also a great many non-members of the Communist Party. There-
7861 fore, it was technically at least a non-Communist organization. It was a win-the-war organization designed to bring in as many young people in this country as possible, whose efforts would be designed to winning the war in Europe. Therefore, we participated in a great many activities such as selling war bonds and getting blood donor campaigns started, conducting inter-racial dances in Boston at the Soldiers' Canteen, and so forth.

Q. While you were a member of the Young Communist League did you attend any periodic meetings of any sort?

A. Yes, I did. I attended young Communist League meetings about every other week.

Q. What would take place at those meetings? A. The meetings were divided into three parts. The first section usually would be devoted to the business of the organization, such as collecting dues and selling literature, and so forth. The second part of the meeting would be devoted to discussion of current activities on the part of the Young Communists in the cell. A third part of the meeting would devote itself to an educational session during which we would study some part of Marxism-Leninism or maybe a study of some current Communist pamphlet or booklet.

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7862 Q. Do you recall any specific meetings of the Young Communist League? A. Yes, I can recall the first meeting that was held in my apartment in Cambridge.

Q. Will you tell us what transpired at that first
7863 meeting?

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The Witness: Until this time I had been what you call a pacifist against wars in general, and therefore the first meeting of the Young Communist League at my apartment was devoted to a discussion of just and unjust wars. Later on in my party experiences I discovered that the text for which that material was gathered came from the History of the C.P.S.U. I was taught at that time that according to—

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7864 Q. When did you join the Communist Party of the United States? A. I joined the Communist Party of the United States in March of 1944.

Q. What were the circumstances surrounding your
7865 joining the Communist Party? A. I was recruited
into the Communist Party by Alice Gordon, who was
formerly the head of the Young Communist League, and at

the time she recruited me was head of the youth work of the Communist Party, working as a paid functionary from the state office of the Communist Party.

Q. When did you leave the Communist Party? A. I left the Communist Party on April 6, 1949.

Q. What were the circumstances surrounding your leaving the Party? A. I appeared as a witness for the Government in the trial of the 11 in the Federal District Court of New York, the Southern District Court.

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Q. What activities did you engage in upon first joining the Communist party in March of 1944? A. Chiefly I continued on with my work for the Party as the state treasurer of the Massachusetts American Youth for Democracy. Also at this time I began attending regular every other week meetings of the Communist Party cell.

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7866 Q. You have stated that when you first joined the Communist Party you continued on as state secretary of the American Youth for Democracy. While you were active in the American Youth for Democracy and at the same time were a member of the Communist Party, was your Communist Party membership disclosed?

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7867 THE WITNESS: No, it was not. I received specific instructions by Fanny Hartman, the head of the Communist Party at that time, that my membership in the Communist Party was not to be known and not to be revealed. Furthermore, that if any one asked me if I was a member of the Communist Party or declared me to be a member of the Communist Party, I was to swear on a stack of Bibles that I had not been, that I was not and had never been a member of the Communist Party. Fanny Hartman was district organizer of the Communist Party at that time and she is the former wife of Phil Frankfeld.

MR. LAFOLLETTE: What was this district?

THE WITNESS: This was District 1, which included Maine, New Hampshire, Vermont, Massachusetts and Rhode Island. It did not include Connecticut.

By MR. TAYLOR:

Q. Over what period of time were you active in youth activities of the Communist Party? A. I remained active in the youth activities of the Communist Party right up until the summer of 1945, continuing somewhat into the fall of 1945.

Q. What assignment did you receive in the fall of 1945? A. In the fall of 1945, following the state convention and the national convention of the Communist Party that year, I became a member of the State Educational Commis-
7868 sion of the Communist Party and became chairman of the leaflet production for the Communist Party.

Q. Were you a member of any branch of the Communist Party in Massachusetts at that time? A. Yes. I was a member of the Malden, Massachusetts, branch, which is a suburb of Boston.

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7869 Q. Was there a convention in District No. 1 of the Communist Political Association in 1945? A. Yes,
7870 there was. There was a state convention of the District No. 1 CPA, that was held in July of 1945:

Q. Did you attend? A. Yes, I attended that convention, first, as an alternate delegate from the Malden, Massachusetts, branch, and I also attended upon personal invitation by David Bennett, the state secretary of the CPA at that time.

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7871 Q. Where was this convention held? A. This con-
7872 vention was held in the New England Mutual Insurance Building in Boston, Massachusetts.

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Q. Was the convention open to any one who was not a member of the Communist Political Association?

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The Witness: Not to my knowledge. Every precaution was taken to see that no one would be at the convention who was not authorized to be there.

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7873 Mr. LaFollette: The objection is overruled. I would like to have you set out what you mean by precaution. Will you explain what you meant by that, what was done that you considered to be a precaution?

The Witness: Yes. There were a great many things done. I don't know that I can recall all of them. I know that, for example, the identification of the delegates elected from our branch in Malden, for example, had to be sent in to the state office of the Communist Political Association to be okayed by I think they call it a credentials committee. The card had to be okayed and then the credentials sent back to the branch by the state office. Those credentials would admit you to the hall.

Mr. LaFollette: Did the card bear on o.k. stamp or something when it came back?

The Witness: It bore a stamp and a number, something like that, and a signature. I believe Mark Alper was the head of the credentials committee. Then when we got to the doorway of the convention you had to show your card at the door and the credentials committee sat at a table at the door with a long list of the names of those who were supposed to be there. You handed your card over to them 7874 and they would cross out the name so that no one else could come in on that same card. I know that people were turned away from the doorway because they did not have the proper credentials.

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7908 Q. Of what did your dities as educational director 7909 of the Eighth Congressional District consist? A. They consisted of organizing Marxist-Leninist classes throughout the entire area, in every cell. Generally speaking we followed the outline presented to us in the school on Hancock Street. In addition to that we provided speakers from the state office, who would go out especially to speak at the cells, and we would provide to them literature from the Progressive Bookshop on current events of interest to the Communist Party.

Q. What publications would you use in providing information on current events? A. We would use both the theoretical text, in addition to current materials such as The Worker, the Daily Worker, Political Affairs, Masses and Mainstream, Science and Society, and other pamphlets that the Party published from time to time.

Q. Did you make use of "For a Lasting Peace"? A. Let's see. Lasting Peace did not come out until about 1947, and I don't believe I was still the educational director of the Eighth Congressional District when that paper first came out. But we did use it in our educational work in the Party after that time.

I was not specifically attached to the Eighth Congressional District after 1947.

7910 Q. I believe you stated that you used the theoretical text in addition to these newspapers and magazine-type publications in connection with current events. Can you give us an example of how this was done, an illustration of your use. A. That was a common technique used because we were taught at our training schools that always we were to apply the lessons of Marxism-Leninism to present-day affairs, that these were guides for action and not simply books to be read and put away. I know in the history of the CPSU, I can't recall the exact section that it is in—

Q. Would it help if I got the book for you? A. Yes, it would. There is a section of the history of the CPSU which was used.

(Off the record)

Mr. Taylor: I think it is Petitioner's Exhibit 330 that we refer to.

By Mr. Taylor:

Q. I hand you Petitioner's Exhibit 330, which is the History of the Communist Party of the Soviet Union (Bolshe-

viks). A. Let's see if I can find an example. Here is an example. I have to find a spot where we actually applied it that I can recollect a specific application. In 1946 the Communist Party decided to back the Third Party movement, which I believe by 1947 had moved into the Progressive Party, and was known as the Wallace Party movement, and a discussion, sort of a class, you might call
7911 it, was begun throughout the entire district, in every
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> "Certain elements of the Communist Party in Russia"—

Mr. LaFollette: What page are you reading from?

The Witness: Back on page 44.

Mr. LaFollette: All right.

The Witness: "Certain elements called the Mensheviks had opposed the Communist Party in certain respects, and Lenin pointed out the proper techniques of the Communist Party so far as working with other organizations and non-communists. There were several points to the program.

No. 1: "The Marxist party is a part, a detachment of the working class. But the working class has many detachments, and hence not every detachment of the working class can be called a party of the working class. The party differs from other detachments of the working class primarily by the fact that it is not an ordinary detachment," such as an ordinary labor union or even the Progressive Party.
7912 "* * *it is not an ordinary detachment, but the van-
guard detachment, a Marxist detachment of the working class, armed with a knowledge of the life of society, the

on Hancock Street. In addition to that we provided speakers from the state office, who would go out especially to speak at the cells, and we would provide to them literature from the Progressive Bookshop on current events of interest to the Communist Party.

Q. What publications would you use in providing information on current events? A. We would use both the theoretical text, in addition to current materials such as The Worker, the Daily Worker, Political Affairs, Masses and Mainstream, Science and Society, and other pamphlets that the Party published from time to time.

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guard detachment, a Marxist detachment of the working class, armed with a knowledge of the life of society, the

laws of its development * * *, the laws of class struggle, and for this reason able to lead the working class and to direct its struggle. The Party must therefore not be confused with the working class, as the part must not be confused with the whole."

The party leader at the time in discussing that said that that means that the Communist Party, in working with other non-communists, do not confuse the issues and claim that the Progressive Party is the same as the Communist Party. It is not. The Communist Party's job in that respect is to be the leaders of the Progressive Party movement, the leader of any progressive movement, as those who are best educated to do that job.

Part No. 2: "The Party is not only the vanguard, the class-conscious detachment * * *, but it is also an organized detachment of the working class, with its own discipline, which is binding on its members. Hence Party members must necessarily be members of some organization of the Party. If the Party were not an organized detachment of the class, not a system of organization, but a mere agglomeration of persons who declare themselves to be Party members * * * and therefore are not organized, * * *the Party
would never have a united will, it could never achieve
7913 the United action of its members, and, consequently,
it would be unable to direct the struggle of the working class * * *.

The objection raised by the Mensheviks was that there were many intellectuals such as professors and university and high school students, who "Would remain outside the ranks of the Party, since they would not want to join any of the organizations of the Party, either because they shrink from party discipline, or as Plekhanov said at the Second Congress, because they consider it 'beneath their dignity to join some local organization'—this Mensheviks objection recoiled on the heads of the Mensheviks themselves; for the party does not need members who shrink from party discipline and fear to join the party organization."

That is No. 2.

Step No. 3: "The party is not merely an organized detachment, but 'the highest of all forms of organization of the working class', and its mission is to build all the other organizations of the working class. As the highest form of organization, consisting of the finest members of the class, armed with an advanced theory, with knowledge of the laws of the class struggle and with the experience of revolutionary movement, the party has every opportunity of guiding—and it is obliged to guide—all of the other organizations of the working class."

7914 This of course was pointed out as one of the reasons why it was an obligation of the Communist Party to get behind the Third Party movement and to help in directing them and guiding them.

No. 4: "The Party is an embodiment of the connection of the vanguard of the working class with the working class millions. However fine the vanguard of the Party may be and however well it may be organized, it can not exist and develop without connections with non-Party masses"—and of course the Progressive Party was a non-party mass—"and without multiplying and strengthening these connections. A party which shuts itself up in its own shell and isolates itself from the masses and loses, or even relaxes, its connections with its class is bound to lose the confidence and support of the masses, and consequently, is surely bound to perish."

No. 5: "In order to function properly and to guide the masses systematically, the Party must be organized on the principles of centralism, having one set of rules and uniform party discipline, one leading organ—".

No. 6: "In its practical work, if it wants to preserve the unity of its ranks, the Party must impose a common proletarian discipline, equally binding on all Party members—".

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7916 Mr. LaFollette: I believe it has some relevancy.

What did the teacher or the leader say with reference to these latter things?

The Witness: The leader, of course, in reading the material said that these lessons especially applied to the questions that had come up in Party circles as to why we were bothering to spend so much time with a non-Communist organization such as the Progressive Party, why we should back a non-Communist organization. The teacher said that we must always strengthen our contact with the masses. We must never separate ourselves from mass organization work, because it is our duty to maintain ties with them and be the leaders, the intelligent leaders of the working class movement. And the instructors used this text as proof of the statements that they were making, as a basis.

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By Mr. Taylor:

Q. Mr. Philbrick, from the time you joined the Communist Party in early 1944 through the period of your membership in the Communist Political Association, and through the period of your membership in the Reconstituted Communist Party, up to the present stage of our testimony in 1946, were you an open member of the Communist Party? A. No,
I was never an open member of the Communist Party,
7917 and on at least three occasions I was instructed not
to reveal my Communist Party membership.

Q. Did you have Communist Party membership cards during this period? A. Yes, up until 1947 I did have a Communist Party card, or I was issued a Communist Party card.

Q. To what use did you put this card? Did you put it to any use? A. Yes, the Communist card was good for an identification, especially when going into the Eighth Congressional District and visiting, first getting into meetings as a new, unknown person of course, and using that as a method of identification.

Q. Did these cards have on them your full name? A. Almost always no. The regulation was supposed to be that only my first name would appear on the Party cards, and of course only my first name would be used in Party work. However, I believe it was on the 1946 card that was given to me by Frank Collier he made the mistake of writing out my whole name on the card.

Q. You say he made the mistake. How do you know that was a mistake on the part of Mr. Collier? A. I know that he was reprimanded later for it by one of the Communist Party leaders.

Mr. LaFollette: Who was Collier at that time?

7918 The Witness: Frank Collier at the time was the— I don't recall his exact title, but he was one of the leaders in the Eighth Congressional District, one of the top leaders, and it was he who came around to my home and brought me my new 1946 card and collected my dues, the dues of myself and of my wife, too, who carried a Communist Party Card.

By Mr. Taylor: Did you keep this card throughout 1946? A. No, I didn't.

Q. What did you do with it? A. Early in 1946 I was ordered to participate in a congressional campaign, in the campaign of a congressional candidate, and as such I was to attach myself to the office of the congressional candidate as a non-Communist. So for security reasons I was ordered to destroy the card.

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7920 Q. You testified that you were assigned to participate in the congressional campaign in 1946. As a consequence, you were supposed to destroy your 1946 card. Who gave you that assignment? A. The first orders came from the head office, Fanny Hartman, who in turn instructed me to contact Nat Mills, in the Eighth Congressional District, who was the Communist Party chairman in charge of the 1946 Congressional campaign program.

Q. What candidate? A. Mills, I might add, was the husband of Alice Mills, who had first introduced me to the Cambridge Youth Council.

Q. To what extent were you supposed to participate in the congressional campaign? Just what was your participation supposed to consist of? A. Of course my field was advertising and sales promotion and public relations, and 7921 therefore that was to be my particular job in the congressional campaign in Malden. I was ordered to participate, to take part in the campaign of Anthony Roche, Anthony Roche, Congressional Candidate for the Eighth Congressional District in 1946. Since Tony Roche was not only a non-Communist but anti-Communist it was impossible for the Communist Party to work in his campaign as Communists. Therefore, I was used as an underground communist—

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7922 Q. Were you told why the Communist Party was interested in the political campaign of Anthony Roche, a non-Communist or anti-Communist? A. Yes, I was.

Mr. LaFollette: Who told you and when?

The Witness: We were told early in 1946 at one of our Communist Party cell meetings following a text which appeared in the magazine Political Affairs concerning the importance of the coming 1946 first postwar congressional elections. I recall very little about the article itself or who wrote it.

Mr. LaFollette: What is it you were told?

The Witness: Based upon that article, we were told that the 1946 elections were going to be very, very important to the Communist Party and to the country and that Communists should participate in the campaign to the fullest extent.

7923 Mr. LaFollette: Do you remember who told you that?

The Witness: Let's see. It would be in a cell. The cell would have included Nat Mills and Alice Mills, and the various other members of the cell at that time. I don't recall all of them now. We were further told that that meant that we would participate not simply in backing the campaigns of non-Communists but of Communists too, here and there.

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Mr. LaFollette:

What position did either of the Mills hold in the cell or in the Party?

The Witness: Alice Mills was the head of the
7924 branch while her husband was in the service, and
then after Nat Mills came out of the service I don't recall whether she continued as head of it or whether he was head of it.

Mr. LaFollette: Did they have a position in any higher echelon of the Party other than the branch?

The Witness: No, they were simply the branch organizers.

Mr. LaFollette: Branch leaders.

The Witness: Yes.

By Mr. Taylor:

Q. Can you tell us anything else about Nat Mills? A. Of course he was the head of the Massachusetts Youth Council back in 1940 and '41. Later when he moved to Malden he became one of the heads of the branch in Malden, Massachusetts, and then at a still later date he was assigned the position of colonizer in the G. E. plant at Lynn, Massachusetts, and at or about that time moved his home and his family to Lynn, Massachusetts.

Q. Was the term colonizer defined by any of the Party leaders in Massachusetts in your presence? A. Yes, it was. The term colonizer was defined at a Party builders' conference the early part of 1947, February of 1947.

Q. By whom was it defined? A. Let me see now. It was
defined by Manny Blum, district organizer, and it
7925 was defined by Otis Hood, the district president or
the Massachusetts president.

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Q. Do you know what occasioned the scheduling of a Party builders' conference at this time? A. My memory is vague on it, except that the Party builders' conference followed a—I don't recall whether it was a directive that came into the district office or just what it was, but it tied in with some sort of instructions or orders that came to us from the National Headquarters, which reached us some time in the latter part of 1946, I would say.

Q. What purpose was the Party builders' conference concerned with? A. The purpose of the Party builders' conference, number one, of course was to build the 7926 Party, to gain a great many new members and to gain new readers for The Worker and the Daily Worker, to build and strengthen the Party in every way. Also at the convention held in Massachusetts, which was in the Ritz-Plaza Hall on Huntington Avenue, Boston, we were told specifically that the convention would apply to key industries or to decisive industries in the United States. Fanny Hartman was the lead-off speaker that day, and she described the key industries or the basic industries of the United States as those large industries which are owned and controlled directly by American capitalists and American imperialists. She said that the intent of the American imperialists and American capitalists was to embroil the world in a world war, with of course Russia being the prime target and of course the people's democracies being the prime target. She said that the major tools, the major weapons in the hands of these imperialists were the war plants, the big war industries and basic industries. She said that these plants of the imperialists must be attacked and destroyed, that we must break up the possibility of a World War III and especially a world war against the Soviet Union.

Q. Were there any other addresses given at that conference? A. Yes. Joe Figuerito, who was branch organizer in the Southern part of the District L, spoke, but I don't recall what he had to say now. Manny Blum was the 7927 first speaker to call for organizers and he defined the term colonizer, which I had never heard up to that time. He said that a colonizer was a party member who would take up a position in a key industry and to establish himself in that industry as a leader, as a center, and around him to build a core of other Communists in the industry, a hard core of disciplined Communists, plus as many workers as could be convinced to follow them. He said it was necessary for the Colonizer to give up his job, if he had one, at a smaller plant or in a smaller business, and take up a job in a key industry or a big business. Furthermore, they defined what they meant by key industries. Nationally that means the steel industry, the automobile industry, the coal industry, and so forth. In New England we were told that the specific plants, the specific war plants, the specific tools of American imperialism in our area were plants such as the communications centers, the steel industry, too, although it is not too large in that area but we did have one member assigned to be a colonizer in the steel business, and especially that of the General Electric plant in Lynn, Massachusetts, where we were told, jet engines were being developed and being produced. I did not at that time have any personal knowledge outside of the Party that jet engines were being made at that plant, but we were told that at this meeting.

7928 Otis Hood spoke and said that the position of a colonizer was one of the very highest honors in the Communist Party.

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7930 Q. While you were in the Communist Party did you yourself make it a practice to read the Party publications such as the Daily Worker, the Worker, and Political Affairs, regularly? A. Yes, I did.

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7931 Q. On page 818 appears the statement "The Daily Worker is our Central Organ." Does that coincide with your understanding of the position of the Daily Worker in the Communist Party?

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7932 THE WITNESS: The answer to the first question is yes, and the reason for it was that as an active educational leader for the Party there I was told many times that the Daily Worker was one of the most important facets of Party life, that every Communist Party member was supposed to read it. On the membership card itself, such as the one I have in front of me, it says on the membership card "Read the Daily Worker and the Worker." That is on the Communist Party card. All of us understood—

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7933 MR. LAFOLLETTE: I can't help but think that this is not going too far afield. You were told that the Daily Worker was important to a communist?

THE WITNESS: We were told that it was the most important printed document in the Party to every Communist.

MR. LAFOLLETTE: Did you talk to any other Communist about the Daily Worker? A. Yes.

MR. LAFOLLETTE: Did they have any opinion other than yours, as to its importance, any with whom you discussed it?

THE WITNESS: Oh, yes.

MR. LAFOLLETTE: Did they have any opinion different from yours?

THE WITNESS: No. I have never heard any criticism inside of the Party or any complaints about the Daily Worker. All of us were told that we should subscribe to it and read it and that we should follow it as the Communist Party newspaper. There was no other newspaper ever defined to us as a Communist Party newspaper as was the Daily Worker.

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7935 Q. Mr. Philbrick, in 1947 were you attached to any club or branch of the Communist Party in Massachusetts? A. For the first part of the year 1947 I was attached to the Eighth Congressional District or the Malden branch, and I remained in that branch until September of 1947 when my membership was transferred into the pro group of the Communist Party in District 1. 7936

Mr. LaFollette: What is the pro group?

The Witness: The pro group was composed of the most deeply underground Party members in the Party—

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The Witness: —composed of white collar workers and professional workers, that is, people who were doctors or lawyers or teachers, college professors, and businessmen, government workers, and so forth. Our cell was limited, generally speaking, to members above the executive secretary class, perhaps, from that class up.

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7937 Q. What was the designation? How was that group referred to in the Party in Massachusetts? Did it bear a title? Was "pro group" the title or did it have some other title? A. The pro group was never mentioned to the other members of the Communist Party in Massachusetts.

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The Witness: It was not known at all. It was not known to exist by the rank and file Party members in Boston.

By Mr. Taylor:

Q. What was its title among you people who were in the pro group? A. Will you repeat the question?

Q. What was its title or designation among those of you who were members of the so-called pro group? A. We understood ourselves to be members of the pro group. The various pro groups had various designations, such as Pro 4. My own cell at the very beginning was Pro 4. Later on I became a member of Pro 5. There was another pro group known as MO. In other words, the pro cells had no definite name. We had a symbol or designation.

7938 Q. How many members were there in the pro group as a whole in the Party in Massachusetts? A. In

Massachusetts the pro group had somewhere between 70 and 80 members.

Q. How many would you have in an individual cell? A. At the time I joined, the individual cells ran up to 10, 12, or even 15 in a cell.

Q. Who instructed you to drop your membership in the Malden branch and become a member of a pro group? A. I received those instructions from Fanny Hartman.

Q. Did these various cells of the pro group maintain contact with each other? A. At the first of 1947 until the first year of 1948 we were able to keep in touch with each other somewhat. However, the main lines of communications were through the leaders of the pro groups who in turn were in contact with the pro council of the professional group organization, the pro council being the highest governing body of the pro group.

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7939 Q. You stated that the pro group was an underground group, and that they met in small units or cells and had only certain contacts with other cells of the pro group. Were there any other security measures in force? A. At the time the Mundt-Nixon bill was under discussion here in Washington, a courier by the name of Pete, who was our liaison, our contact from the state office, came around to give us still further instructions. Incidentally, I might say that before that time our instructions were, number one, no member of the pro cell was ever to go near the state office of the Communist Party. We were forbidden to go even near to the state office. Up until that time I had worked at the state office quite frequently, working on literature and for the educational division. Number two, we were not to telephone the state office. If we had any messages for the state office we were to refer them to our leader in the cell, who in turn would pass the message on up. If absolutely necessary to call someone at the state office, we were to use a pay station, and not our own telephone. We were not to use our whole names in the pro cell.

We used only our first names or nicknames. Therefore, for purposes for which I was in the organization it was quite difficult sometimes to find out who the people were.
7940 That to me meant they were underground. Number four, we were never to carry a Party card. In fact, pro cell people were never issued a card. At times previously I have testified how I was issued a card and later ordered to destroy it, but the pro cell people were never issued a Party card. Those rules were enforced before the Mundt-Nixon Bill.

And after the Mundt-Nixon Bill, or at the time the Mundt-Nixon Bill was being discussed, and I believe it had already passed Congress and was going to the Senate, then we received even more stringent instructions. First of all, we were broken down, our previous cells and units were broken down into groups of not more than five people, although up until this time we had had 10 or more. That was number one. Secondly, we were not to have anything to do with people, with comrades that we knew, not have anything to do with them either officially or socially if they belonged to another pro cell. We were to stick strictly to the five or less people in our own cell. If we happened to know the name of a comrade in another pro cell, we were not to mention his name as a Communist inside of our cell. We were to keep quiet. There was a whole raft of instructions. We were very cautious, even more cautious than we had been, about having our meetings. For example, we were not to have our meetings at the same house all of the time, but would change our places of meeting around, shift them, so that no one would become suspicious because we
7941 always had a group of people meeting at one place.

Furthermore, we were ordered to change the nights of meeting, so that we would not always meet on a Tuesday night. Written messages of meetings, that is, written notices of meetings were forbidden. Then we had to agree at a previous meeting when the next meeting would be. If it so happened for some reason or other we were not there and still a leader had to get in touch with you, the message would come through in a disguised form so that it would not mean anything to anybody outside of the recipient.

Those were some of the instructions. Pete was there quite a while giving us those instructions.

We were told finally that these regulations were to go into effect with the pro group immediately, that we were to put them into effect then, and we were to begin breaking our group down into these groups of not more than five. We were told that the same instructions were being given to the rest of the comrades in the Communist Party, the rank and filers, but, however, that the regulations would not go into effect with them, but were being held in abeyance, and if the Mundt-Nixon Bill should pass, then they would be put into action.

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7942 Q. Do you recall the approximate date when these last instructions that you were mentioning were communicated to you through Pete? A. The last time our cell met as a large group was some time in the late winter of 1948 or the early spring of 1948, around June 1.

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Q. Was there any device or organizational structure through which separate units of the pro group might maintain some sort of liaison with each other and with the state headquarters? A. Yes, there was. Quite an elaborate organizational network was set up so that the group could function as a whole. We had representatives from our own cells. One representative from each cell would represent our small cell on a group called—what do they call it now—they call it a sub-council. The sub-council, which was the next highest rank above us, would have not more than five people in its membership. They in turn would elect one member from that group, who in turn would represent them
7943 on the pro-council which was the highest governing body of the council. Then of course liaison was established between the pro council and the Communist

Party headquarters in Boston and a similar liaison was established between the pro council and the Communist Party office in New York.

Q. Who was the representative of your cell to the sub-council? A. Martha Fletcher was the representative of our cell.

Q. Did this structure of small cells and sub-council and pro-council and so forth, operate from the time it was set up as long as you continued your membership in the pro group?

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THE WITNESS: Yes, it did.

By MR. TAYLOR:

Q. When did you terminate your connection with the pro group? A. I terminated that also on April 6, 1949.

Q. Before this second breakdown went into effect, into cells of five, and so forth, when you first joined the pro group, how frequently was your unit meeting? A. Meetings were every other week.

Q. What took place at these meetings? A. The
7944 conduct of the meetings was precisely the same as
it had been in the above grounds Communist cells,
with the three individual sessions that we have mentioned before, that is, the dues collecting and the literature sales, and the activities of the group, and that of the educational session.

Q. Do you recall what you were studying at the educational session when you joined the pro group in 1947?

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THE WITNESS: Yes, I do. The pro cell when I joined the group had just begun to study a book called "State and Revolution," and they had already begun the course and had started the first chapter, and were part way through the first chapter. From the time I joined up until close to the end of the year they continued to study "State and

Revolution," taking it up chapter by chapter at each meeting.

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7945 Q. Who handled the teaching assignments at these various educational sessions of the pro group of which you were a member? A. The teaching assignments were handled by the individual members of the cell under the direction of the educational director. When I first joined the cell, for about the first two meetings I was the educational director, although they had already started on this course. Thereafter I became the literature director, and Martha Fletcher was the educational director from that period on. Each class session was conducted by the members in the cell itself, who would be assigned to a particular chapter, and they would come in to the class prepared to conduct the instructions from that chapter, plus supplementary material that they would bring in.

Mr. LaFollette: Did you know Martha Fletcher before you became a member? A. Yes. That is how I happened to know her complete name. Martha Fletcher I knew from my activities in the American Youth for Democracy, when she was active on the national level with that group. She was on the editorial board of Spotlight, the national 7946 magazine of American Youth for Democracy. She participated in many of our activities as a unitarian youth worker, working in the office of Stephen Fritchman in Boston. I had come into contact with her many times over the years.

Mr. LaFollette: Did she hold any official position during the time that you knew her?

The Witness: She was a member of the pro council, which was the highest governing body of the pro group.

Mr. LaFollette: All right.

By Mr. Taylor:

Q. You people studied the entire book, State and Revolution? A. Yes, we did.

Q. Did you discuss the entire book in class? A. Yes, we did.

Q. Did you subscribe to the Daily Worker and to The Worker while you were a member of the pro group? A. The pro group for the most part did not subscribe to the Worker and Daily Worker, in order not to have their names on the mailing list of that newspaper. Instead, we got our Daily Workers and Workers and Cominform bulletins and other material from the Progressive Bookshop in Boston, and as the literature director that was one of my jobs, to get that material and bring it to the pro group meetings.

7947 Q. Were there any publications which you furnished regularly, that is, every issue as it came out, which you as literature director furnished to your particular pro group, pro cell, regularly? A. Yes, there were three that I provided—there were four that I provided regularly. No. 1 was what was generally known, incorrectly too, I believe, as the Cominform Bulletin, "For a Lasting Peace, for a People's Democracy," every issue of that was provided to the pro group. Political Affairs was provided to the pro group, every issue. Masses and Mainstream was provided to the pro group. Now and then others would be obtained, such as Science and Society, which was a Marxist quarterly. The Worker and the Daily Worker—usually I would bring up only those issues that had something of great interest, such as a plenum issue or an issue carrying a draft resolution by the national board, or whenever some other matter of great importance was contained in them.

The reason for that was it was simply too bulky to carry two weeks' supply of Workers and Daily Workers to the meeting. It was a physical impossibility.

Q. Were there any other publications which were furnished to your cell in the pro group that you haven't mentioned? A. I can't recall any other issues that were provided, although I did bring of course to each meeting a large supply of the current issues of a lot of material. The

Party of course published a great many small pamphlets and booklets, running from one cent to 25 cents 7948 per piece, and I provided all of those, plus of course, again, the Marxist-Leninist basic books and material.

Q. Was "Soviet Russia Today" furnished to the members of the pro group? A. Yes, Soviet Russia Today was one of those that I obtained, not all of the time, but most of the time.

Q. I believe you testified that it was your job to furnish them particularly important issues of the Daily Worker and to find out what articles were of importance and should be studied. Was there a decision of your own or were you furnished that information? A. I was furnished that information by Frank Collier at the Progressive Bookshop.

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7949 Q. How do you know that he was informed what publications to furnish you and what articles to tell you to study by the headquarters of the Communist Party in Massachusetts?

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The Witness: I know that because I was told by the state headquarters that that was the way I would operate. I could no longer go to state headquarters to get the information directly. I could not telephone them. So in that sense Frank Collier was to be the courier who would provide me with that information.

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7951 Q. You just stated that at the same time you were in this deeply underground pro group you maintained some sort of connection with the state headquarters. Will you explain to us just how that was done?

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The Witness: It meant that messages from the state headquarters or actual physical passage of leaflets and raw material had to be done by means of courier, and there were

two persons that I was told to be in contact with
7952 for that purpose. One was Frank Collier at the Progressive Bookshop.

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THE WITNESS: Frank Collier was one of the persons, and then a Comrade Max was another one of these individuals. I don't know if I can remember his last name now or not, but it was Comrade Max. It was through these people that I received information from the state office as to what work I was to do in an educational capacity.

MR. LAFOLLETTE: Where did you meet Max?

THE WITNESS: I met him at drugstores, I met him quite frequently at the Liggett's Drugstore at the corner
7953 of Tremont and Boylston Street in Boston.

MR. LAFOLLETTE: How would you arrange the time to meet? Would he call you?

THE WITNESS: He would call me. Occasionally I met with Daniel Boone Schirmer of the state office and he would also call me in advance from a pay station and then we would meet in a restaurant, usually the Waldorf Restaurant in Scollay Square. It was quite complicated and ran over a period of two years.

By MR. TAYLOR:

Q. Did you receive a copy of "For a Lasting Peace," which was furnished to your pro cell from Frank Collier? A. Yes, I did.

Q. Your pro unit held their meetings during the period of time from December of 1947 through April of 1948? A. Yes, it did, every other week.

Q. Do you recall what were the topics of discussion at the meetings held during that period of time? A. The major topic of discussion that occurred in that period of time was that concerned with A. Zhdanov's report which appeared in the Cominform Bulletin. It had actually appeared some time before the end of the year 1947, but we were involved

in this study of "State and Revolution" and so we
7954 took up the discussion of the Zhdanov report after
the first of the year, some time in 1948.

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7955 Mr. LaFollette: The objection is sustained. Why did you study it?

The Witness: We were told to study it.

Mr. LaFollette: By whom?

The Witness: By Frank Collier.'

Mr. LaFollette: All right. Did Collier tell you why you were to study it?

The Witness: Yes, he certainly did.

Mr. LaFollette: He was your contact?

The Witness: Yes.

Mr. LaFollette: This was in the process of your contact with him?

The Witness: Yes, it was.

Mr. LaFollette: And he was a representative of the state headquarters?

The Witness: That is right.

Mr. LaFollette: What did he tell you?

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The Witness: He told me that it was the key to the whole
movement. I don't recall what else he said, but that was
the chief thing he said, that this was the key to the whole
movement, and this is what it means, and study it
7956 in all of the cells. We were to study it in our cell.

Mr. LaFollette: You took the literature there, and then the discussion leader discussed it?

The Witness: That is right.

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7999 Q. Mr. Philbrick, did you discuss Tito and the Communist Party of Yugoslavia at any other meetings of your pro cell? A. Yes. We discussed Tito and Yugoslavia at two of the meetings after the June meeting. It so happened that the change in Tito's position took place between meetings, so it made rather a fast change in our particular cell.

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THE WITNESS: Then a full and organized discussion took place in August of that year at which time we used one of the magazines, Political Affairs, as a discussion guide.

By MR. TAYLOR:

Q. When was this first meeting that you mentioned, the first of these two, what month? A. In July, 1948.

8000 Q. I show you Petitioner's Exhibit for identification No. ~~344~~—

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Q. And call your attention to an article beginning on page 690, running through page 698, headed "Resolution of the Information Bureau concerning the Situation in the Communist Party of Yugoslavia," and ask you if you have seen that resolution. A. Yes, sir; I have seen this resolution.

Q. When did you first see this resolution? A. I first saw the resolution printed in the Daily Worker, and shortly thereafter I saw it again printed in the Cominform Bulletin when it was delivered to our pro cell, in addition to the fact that I had also seen it in the copy of the book which I now have before me.

Q. I call your attention to Petitioner's Exhibit 260, 8001 which appears in this same August 1948 issue of Political Affairs, pages 699 and 700, and is headed "Statement on the Information Bureau Resolution concerning the Situation in the Communist Party of Yugoslavia," and I ask you if you have seen that. A. Yes, sir, I have seen this, in this volume, and I believe this also appeared in The Worker or the Daily Worker. I think also that this was in substance—it is very close, I can't recall specifically, but it looks very close to a statement by Foster and Dennis which appeared in the Cominform Bulletin some time in that same period of time.

Q. Did your pro cell discuss the Cominform resolution which is Petitioner's Exhibit 344 for identification? A. Yes, it did.

Q. And the Foster-Dennis statement which is Petitioner's Exhibit 260 at any of their meetings? A. Yes, we did. We discussed these two—Let's see now. We had a rather disorganized discussion of it at a July meeting, and then in the August meeting we had an organized discussion carried on by Comrade Harry Winner of my pro cell.

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8003 Q. Will you give us, if you can recall, any of the comments or any of the action that was taken by members of the pro cell in the July 1948 meeting? A. The only specific comments I can recall clearly were those that were made by Harry Winner, who was leading the discussion. He said that the Central Committee of the CPSU, Soviet Union, had rendered a great service in revealing the Marxist-Leninist errors of Tito. He further said that
8004 the Cominform itself had rendered a great service to the cause of peace in the world by further revealing and elaborating upon the errors of Tito. He said that Tito had made great Marxist errors both in his foreign policy and his internal policy and that he appeared to be more of a petty bourgeoise nationalist than Marxist-Leninist.

The other members of our pro cell agreed, after some discussion, with the conclusions and statements made by the leader of the discussion, Harry Winner.

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THE WITNESS: As I say, the July meeting was one of some confusion, but there again no one disagreed with the statements made at that time in the Daily Worker or in the Cominform Bulletin.

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8023 Q. Mr. Philbrick, on the basis of your membership and active participation in the Communist Party and

Communist Party activities for a number of years, will you give us your understanding whether or not it was possible for yourself or any other members of your
8024 group to refuse to accept the decision of the Cominform regarding the Communist Party of Yugoslavia and still continue membership in the Communist Party of the United States of America?

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The Witness: It is my understanding that a member of the Communist Party could not disagree with a directive or a position taken by the Cominform and still remain to be a member of the Communist Party.

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Q. I show you a copy of Petitioner's Exhibit No.
8036 331, which purports to be a copy of the Daily Worker, March 3, 1949, and call your attention to an article on page 3 headed "U. S. Communists Oppose Wall Street War, says Foster, Dennis," and I ask you if you have ever seen that article in that edition of the Daily Worker. A. Yes, sir; I have seen this article in this Daily Worker.

Q. Was that article discussed in any Communist Party activity? A. Yes, it was. This article was discussed in the Otis Hood class at the Boston School of Marxist Studies.

Q. Who led the discussion? A. Mr. Hood led the discussion.

Q. Will you relate to us the substance of the discussion led by Otis Hood?

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The Witness: Mr. Hood said that we had already studied the nature of imperialism and the nature of capitalism, and that we had already learned that imperialism and capitalism breeds wars and breeds depression and breeds most of the evils which are inherent in the Society of the World of today. He said we recognize that capitalism in the
8037 United States was that type of organization, an organization which developed wars and depressions,

a state organization of oppression, oppression directed not only against the people of the United States, the working people of the United States, but oppression which was rapidly being directed against the peoples of the world. He then went on to say that of course as Communists we recognize that we are on the side of the working peoples of the world. He said the basic question, becomes what do we mean by patriotism and what is true patriotism. He said that it must be perfectly clear to us that as Communists we recognize that as patriots, the true patriot is the one who fights on the side of the working class and who fights against capitalism. Therefore he said Foster and Dennis were completely correct in their statement issued not only in the Daily Worker but a statement which was issued to the press, that they were completely correct in boldly taking this stand and stating unequivocably that in case of an imperialist war on the part of the United States, all Communists not only in this country but in the world would oppose that war in every way possible, that we would do everything we could to stop the war and to defeat the military operations of the capitalist government of the United States.

By Mr. Taylor:

8038 Q. Mr. Philbrick, on the basis of your active participation in Communist Party affairs, your attendance at the innumerable party meetings, your attendance at classes, discussions with local party officials, can you recall any instances in which criticism was leveled by the leaders of the Communist Party of the United States, local or national, against the policies or activities of the Soviet Union?

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The Witness: The answer is simply no, I never recall hearing any criticism directly against the Soviet Union.

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8039 Q. In those instances in which the policies of the United States Government and the policies of the Soviet Union appeared to be in conflict, was the Communist Party leadership, either local or national, to the best of your knowledge ever sympathetic with the point of view of the United States Government?

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8040 The Witness: I can not recall any instance where the policy of the United States seemed to differ from the policy of the Soviet Union that any leader of the Communist Party appeared to be sympathetic to the
8041 policies of the United States.

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Q. Mr. Philbrick, based on the entire gamut of your Communist Party experience, that is, the period of years in which you were a member, attending classes, conversations with officials, reading of Communist Party literature, attendance at meetings and so forth, will you relate to us your understanding of the basic objectives of the Communist Party in the United States?

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8043 The Witness: In that period of time it was to establish a Soviet State in the United States following, without any deviation, the dictates and the methods laid down by Marx, Engels, Lenin, and Stalin. To repeat all the methods would be to go through all the testimony that I gave.

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8044 Q. I amend the question, then. Mr. Philbrick, did you ever use a pseudonym while a member of the Communist Party? A. Yes, I did.

Q. What was that pseudonym? A. At least one of the pseudonyms, the one I used most was Arthur Trobridge.

Q. When did you use that pseudonym? A. I used that name while a member of the pro group and while still a member of the state educational commission. That was my name as a member of the state educational commission.

Therefore, in instances such as in that Boston School of Marxist Studies job that I delivered through the locker to Manny Blum, I included in that a notation to Manny explaining how the job should be run off, my judgment as to the type of paper and so forth, and signed it as usual, Arthur Trobridge.

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8259 **John Victor Blanc** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

Direct Examination

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By Mr. Story:

8274 Q. Mr. Blanc, you were testifying at the recess yesterday about attending an emergency meeting of the County Committee which was called to discuss the Duclos article. What was the Duclos article? A. The Duclos article was an article which appeared in The Worker, the Communist Press, in May of 1945, criticizing the work of the Communist Political Association of the United States and urging it to revert back to the old revolutionary tactics of the Communist Party.

Q. Who wrote the article? A. Jacques Duclos of France, of the Communist Party.

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8275 Q. What meeting was called to discuss the Duclos Article? A. It was a County Committee meeting of Cuyahoga County, Cleveland, Ohio.

Q. When was the meeting called? A. It was called in May of 1945 at the Hotel Hollenden in Cleveland, Ohio.

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Q. Do you recall the names of any of the speakers at this meeting? A. I do. Arnold Johnson presided at this meeting and gave the main report. Roy Hudson, a Party functionary from New York City, was also present at this meeting.

Q. What position did Arnold Johnson hold at that time? A. Arnold Johnson at that time was state chairman of the Communist Party in Ohio.

Q. What was the substance of Johnson's report to 8276 the group? A. Johnson gave a very lengthy report to the delegates at this meeting and read Duclos' article and also was in favor of a resolution which was to be adopted abolishing the Communist Political Association and reverting the Party back to the Communist Party of America.

Q. Did Johnson approve or disapprove the Duclos article? A. Arnold Johnson highly praised the Duclos article at that time.

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Q. What did Mr. Hudson have to say at this meeting? A. Mr. Hudson spoke on the Duclos article at the same time, and he urged every delegate at that meeting to take the resolution back to their club meetings and to discuss it with their members and have it adopted so it could 8277 be acted upon at the state convention at a later date.

Q. You stated that Mr. Hudson was a Communist Party functionary from New York. Do you know what position he held? A. I do not.

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Q. Were any resolutions passed at this meeting? A. A resolution adopting the Duclos article to revert the Communist Political Association back to the revolutionary tactics, was adopted.

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8282 Q. Mr Blanc, was the Duclos article discussed at the state convention which was held in July 1945? A. The Duclos article was discussed at this convention by all party functionaries who attended.

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8283 Mr. LaFollette: What party functionaries were there at this convention?

The Witness: The duly elected delegates from the different clubs in the State of Ohio.

Mr. LaFollette: Were the state officers present?

The Witness: The State officers were present, yes, sir, at this convention.

Mr. LaFollette: Are they the people who discussed the resolution?

The Witness: Yes, that is right.

By Mr. Story:

Q. What generally was stated about the Duclos article at this convention in July 1945?

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8285 The Witness: Arnold Johnson, who presided at this convention, along with Adeline Cole, Betty Erhart, Admiral Kilpatrick, Roy Dennis, strongly opposed the Communist Political Association of the United States and praised the Duclos article and said it was urgently necessary to revert the Party back to benefit the classes, and there was the time to do it, that the Party should be reconstituted back to the Communist Party of the United States to benefit the working class of the nation.

By Mr. Story:

Q. Mr. Blanc, at this convention were any of the national leaders of the Communist Political Association discussed?

A. Earl Browder, who was then Chairman of the
8286 Communist Political Association of the United
States, was criticized for the way he had run the Communist Political Association of the United States and for some statement that Browder had made claiming that the Communist Political Association of the United States could live with capitalism. The delegates at that convention disagreed with Browder's views and said that capitalism had to be abolished—

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Mr. LaFollette: Can you identify who made the statement, whether or not it was the same people that you mentioned previously?

The Witness: Admiral Kilpatrick for one, Arnold Johnson for another.

Mr. LaFollette: What was Admiral Kilpatrick's position in the Communist Party of Ohio?

The Witness: Admiral Kilpartick was a member of the Committee of the State of Ohio.

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8301 Q. Mr. Blanc, during your association with the Communist Party in Ohio did you receive any information concerning Communist Party members who had been sent to the Soviet Union to school?

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8302 The Witness: I have known three such Communists that told me they attended the Lenin Institute in Moscow, Abe Lewis, Admiral Kilpatrick, and Gus Hall.

By Mr. Story:

Q. They told you personally that they had attended the Lenin Institute in Moscow? A. They personally told me they attended the Lenin Institute in Moscow.

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8308 Q. Mr. Blanc, you testified that you attended a Communist Party school at Camp Solidarity in Ohio in 1946. A. I did.

Q. What textbooks, if any, were used at this school? A. The History of the Communist Party of the Soviet Union, Imperialism; State and Revolution; Wage, Capital, and Labor—

Q. Was the school publicly announced in any way? A. It was not.

Q. Were any measures taken by the Communist Party to conceal the existence of this school?

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8309 The Witness: Yes.

By Mr. Story:

Q. What measures were taken?

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The Witness: I was told by the county office of the Communist Party prior to the opening of the school that I would be told where the school would be held. I was told also by the office that I would be notified in time to let me know what stuff I had to take, bed clothing, et cetera, because this would be a two-week full-time school, and no member would be allowed to leave the school until it was over.

By Mr. Story:

Q. After you arrived at the meeting place of the school, were any measures taken at the school to conceal the existence of the school?

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The Witness: Immediately when we congregated at the school Hy Lumer, who was instructor at the school got the group together and told us that we weren't to leave the grounds under any circumstances unless we got special permission from him, and we were not to contact any-
8310 body on the outside, that if we had to use the telephone we had to get special permission from him to use it.

Q. Mr. Blanc, you have testified that you attended another school at the West Side Hungarian Home in 1947. Do you recall when in 1947 you attended this school? A. That was in April of 1947.

Q. What textbooks, if any, were used at that school? A. The History of the Communist Party of the Soviet Union; Imperialism; State and Revolution; Wage, Labor and Capital; Political Affairs.

Q. Was that school publicly announced? A. It was not.

Q. Were any steps taken by the Communist Party to conceal the existence of the school?

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The Witness: We were told not to divulge to the members of our clubs about this school, and although the measures weren't as strict as they were at Camp Solidarity School when I attended a two-week full-time school—

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8311 The Witness: We were allowed to go home at the end of the classes and stay home overnight and we were told not to use the telephone in the building for contact with the outside.

Mr. LaFollette: What, if anything, did you do with reference to speaking to other members of the Party about your attendance at this school that you are now testifying about?

The Witness: We were told not to divulge the school membership. I was a member of the club, and I was told not to discuss it with the members of that club that I had been chosen for that school.

Mr. LaFollette: All right.

By Mr. Story:

Q. Now, Mr. Blanc, you have also testified that you attended a school in the summer of 1948. Approxi-
8312 mately when in 1948 did you attend this school? A.
That was either in July or August 1948.

Q. Was this school publicly announced by the Communist Party? A. It was not.

Mr. Abt: May we have the place of the school?

The Witness: The West Side Hungarian Home in Cleveland, Ohio.

By Mr. Story:

Q. Were any steps taken by the Communist Party to conceal the existence of this school? A. Stricter steps were taken at this school because this was during the period of the time that Gus Hall had disappeared—

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The Witness: And many of the members of the school were very much concerned about where Hall was. We were told not to divulge to our membership or even to our families, although we were allowed to go home, where we spent our time during the day.

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8313 Mr. Story: Mr. Clerk, will you mark this document as Petitioner's Exhibit 346.

(The document referred to was marked for identification Petitioner's Exhibit No. 346)

By Mr. Story:

Q. Mr. Blanc, I hand you a document and ask you if you can identify the document. A. This is a study out-
8314 line used each day at the Ohio State Communist Party Marxist School at the West Side Hungarian Home in Cleveland, Ohio, from July 24 to August 1, 1948.

Q. Is this the study outline that you used while attending this school? A. This is the study outline that I used while at the school.

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8315 Q. Mr. Blanc, during your association with the Communist Party from 1944 on, were members of the Communist Party open members of the Party, or concealed members of the Party?

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The Witness: There were both open and concealed members of the Party. The open members were members who were on full time salary of the Communist Party, and the concealed members were members who belonged to union organizations or mass organizations and didn't want to come out in the forefront and admit they were Com-

8316 munist. They were concealed. I myself was told by Gus Hall not to make my identity known as a Communist in my plant due to the fact that I could do better work among the union members unbeknown to them that I was a Communist Party member.

Q. Mr. Blanc, were you publicly charged at any time as being a member of the Communist Party? A. Yes. I was.

Q. When and how were you charged as a member of the Communist Party? A. In the summer of 1948 the Cleveland News had run an exposé of the Communist Party members who participated in a Cleveland rally of the Communist Party.

Q. When did you say that the article appeared? A. In the summer of 1948.

Q. Did you discuss this newspaper article with any of the officials of the Communist Party of Ohio? A. Immediately after the exposé I contacted Gus Hall and William Haber and told them about the exposé in the news and what trouble it was giving me at my plant of employment. They told me I should go back to the plant and tell the workers that what the Cleveland News was running as an exposé on me was a lie, and not to admit to them that I was a Communist Party member.

Q. What position did Haber and Gus Hall hold at
8317 that time? A. Haber was head of the Cuyahoga County Civil Rights Congress. Gus Hall at that time was on the National Committee of the Communist Party.

Q. Did you contact the editor of the Cleveland News concerning this article? A. I did not contact the editor. I contacted the reporter who ran the exposé.

Q. What did you say to the reporter and what did the reporter say to you? A. I asked the reporter, A Mr. Kehoe, to retract the statement he had run in the exposé about my contributing to the May Day rally fund, and he told me that he had got the information from the Communist Press, The Worker, and that he had seen enough of my political activities for quite some time, and although he couldn't openly accuse me of being a Communist he had seen enough to let that article stand and he would not retract it.

Q. Were you an active member of the Communist Party at that time? A. I was an active member of the Communist Party at that time.

Q. Mr. Blanc, did you receive any instructions as a member of the Communist Party on the admission of your Communist Party membership?

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8318 The Witness: Yes, I have.

By Mr. Story:

Q. What instructions did you receive? A. The instructions given me by Gus Hall—

Mr. Abt: Mr. Chairman, may we have when and where?

Mr. LaFollette: I think you will. Go ahead. Tell when and where.

The Witness: The instructions given me by Gus Hall after the exposé was run in the Cleveland News in the summer of 1948, was not to reveal my membership in the Communist Party to my local union members of the Local No. 776.

Mr. LaFollette: This is the same conversation you had, that you previously testified about?

The Witness: Yes.

By Mr. Story:

Q. After this article appeared in the Cleveland News were you called before any union group to admit or deny your membership in the Communist Party? A. On two different occasions. The first was at a local union meeting after the exposé appeared in the summer of 1948, a petition was drawn up by Local Union members of my local demanding that I either admit or deny that I was a Communist Party member. Upon the instructions I had 8319 received from Gus Hall previous to that, I took no stand. I did not deny or confirm that I was a member of the Communist Party at that local union meeting.

Q. Were you called upon at any other time to admit or deny your Communist Party membership? A. In February of 1949, at that time when local union offices had been thrown up for re-election, I was nominated to the post of secretary-treasurer of that local, without opposition. Prior to the time that I had accepted the post, a group within the local union, through the chairman, wanted me to get up and either deny or confirm that I was a Communist.

Q. What action did you take? A. I didn't take any action. I did not answer them at that time.

Q. Did the Chairman call upon you to answer this charge? A. The chairman did not call upon me to answer that charge.

Q. Mr. Blanc, during your membership in the Communist Party do you recall any instances where members of the Communist Party were called before governmental agencies and asked if they were members of the Communist Party?

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8320 The Witness: Yes.

By Mr. Story:

Q. Tell us where and when this information came to you. A. It was in April or May of 1945 that a Miss Patsy Shaw called me on the telephone and told me that she had been requested to appear at the Federal Bureau of Investigation to answer some question under the Hatch Act, as she was an employee of the Federal Government.

Mr. LaFollette: Who was she?

The Witness: She was a Communist Party member of my club.

By Mr. Story:

Q. Did Miss Shaw appear before the Federal Bureau of Investigation? A. Miss Shaw did appear before the Federal Bureau of Investigation. She had made arrangements with me over the telephone to pick her up and I took her down for the interview.

Q. You took her to the offices of the Federal Bureau of Investigation? A. I did.

8321 Q. Did you give Miss Shaw any advice or did she request any advice prior to the time she went into the offices of the FBI? A. In our conversation—

Mr. Abt: Just a moment. Yes or no, Mr. Chairman.

The Witness: Yes.

By Mr. Story:

Q. What advice did she request? A. In our conversation on the way to the Bureau with Miss Shaw, she told me she had talked to Arnold Johnson about appearing in front of the Federal Bureau of Investigation and answering charges about whether she was a Communist or not. She said that Arnold Johnson had told her to deny —

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8322 The Witness: —that she was a member of the Communist Party, that it would be only a routine check as far as she was concerned.

By Mr. Story:

Q. Did Johnson hold any position in the Communist Party at that time? A. Arnold Johnson was state chairman of the Communist Party of Ohio at that time.

8323 Q. Did Patsy Shaw request any advice from you prior to the time you took her to the offices of the FBI? A. She did.

Q. What advice did she want? A. She had asked me whether she should go down to the Bureau and deny that she was a member of the Communist Party, and I advised her—

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The Witness: I advised Patsy that if this meant losing her job, to go ahead and deny she was a member of the Communist Party to the Federal Bureau of Investigation.

By Mr. Story:

Q. Mr. Blanc, were you present at any time when leaders of the Communist Party in Ohio discussed the action to be taken by Communist Party members under the Government loyalty program? A. Yes, I was.

Q. Where and when did this discussion take place? A. At a county central meeting at headquarters, where Ben Gray had been advising one of the members—

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8324 Q. Who participated in this discussion? A. Some member asked Ben Gray about the action that any Communist Party member should take if ever called in front of the Federal Bureau of Investigation.

Q. Did Gray hold a position at that time? A. Gray at that time was chairman of the Review and Control Board of Ohio.

Q. What did Gray say on this occasion? A. Gray told this member at no time to reveal your Party membership to the Federal Bureau, that there was no harm done in going down there and denying it, that it was only a matter of routine check-up that the Bureau had for anybody who worked in the Federal Government under the Hatch Act.

Mr. LaFollette: Who else was present at this conversation that you recall? A. Pardon?

Q. Who else was present when this advice or this conversation that you have just related, if you recall? A. Betty Erhart and myself were present at the time Ben Gray was telling this member.

Mr. LaFollette: All right. Who is Betty Erhart?
8325 Did she have any position in the Communist Party?

The Witness: Betty Erhart was a member of the Communist Party. At that time I believe she was in charge of the press for Cuyahoga County.

By Mr. Story:

Q. Mr. Blanc, did the Communist Party in Ohio keep any records during your membership in the Party after 1944?

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The Witness: Yes, they did.

By Mr. Story:

Q. What type of records were kept by the Communist Party?

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8326 The Witness: I kept a record of the members when I was dues secretary of the Ward 22 Club. When I was press and literature director of Collinwood and Railroad Clubs I kept records at my home. In 1947 when I was Chairman of my shop club up to and including May of 1949, I kept records at my home of members' names, addresses, or any other records that the county gave me for policy for my club meetings.

Mr. LaFollette: What type of records did you keep as press and literature director?

The Witness: As press and literature director I had to have records of where to dispose of my papers and literature, at whose homes, who were Communist Party members.

Mr. LaFollette: You kept records?

The Witness: Yes, showing the names and addresses of these Communist Party members.

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8327 Q. Did you continue to keep records in your Communist Party activities throughout your membership in the Party? A. I did.

Q. Did you at any time change the system by which the records of the Communist Party were kept? A. Security measures—

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The Witness: Yes.

Mr. LaFollette: What did you do and when did you do it?

The Witness: For security measures—

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The Witness: Originally we had kept records of name and card number for the purpose of collecting dues or any contribution that this Party member would make to
8328 the Party. That was at our disposal. From 1947 to 1949 when I was in the Party, the latter part of the time I spent in the Party, late in 1947 we set up what was commonly know among the Communist Party groups as card systems.

Mr. LaFollette: Describe it.

The Witness: The Club was to be divided into group captains. Every group captain would have two members to answer for. He would get a little score card where he would keep the numbers on it, not names, of the people that were under his direct charge, for the purpose of collecting dues and keeping the record straight on that. I as chairman got a master file, and I kept by numbers, not names, all the dues stamps that I distributed to these group captains.

Mr. LaFollette: May I ask you something about that. When you say numbers, do you mean the number, 2 or 3, or did you use numbers as designation of people's names?

The Witness: As an example in my club, I had 11 members and I went from 1 to 11. Any group captain who had a group under his charge, he knew what numbers referred to the Communist Party members that he was in charge of. That limited the names for the records.

Mr. LaFollette: May I ask, would a man have numbers 5 and 6 and that would be all he had, those numbers?

TheWitness: The group captain, that is right. If he had two, he would probably have 5 and 6, and maybe
8329 he would be No. 7.

Mr. LaFollette: Would he know who 5 and 6 were?

The Witness: He would on his little card that he kept. He would check with me so I could get my master file straight, because I would know who No. 1 to No. 11 were in my club.

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8332 Q. Mr. Blanc, after the number system had been initiated in your shop club where did you keep the records that you have just identified as Petitioner's Exhibits 347 and 347-A? A. These records I kept at my home.

Q. Did you keep any other records in addition to these records after 1947? A. After this was initiated we were told to destroy all the membership books, to collect all the membership books and any other records where records were kept of names and book numbers, and to use this exclusively for security reasons.

Q. By whom were you told that? A. By Betty Erhart at this October meeting of 1947.

Mr. LaFollette: What position did she hold? A. She was secretary to the Collinwood section of the Communist Party at that time.

8333 By Mr. Story:

Q. Did you destroy your records at that time? A. I collected all my membership party books and all of my records and brought them down to Betty Erhart's home and destroyed them in front of Betty Erhart and Roy Leib.

Q. At any other time did you receive any instructions from your superiors in the Communist Party to destroy Communist Party records? A. I did.

Q. When and from whom did you receive these instructions? A. I received instructions from Roy Leib to destroy my membership cards.

Q. When did this take place? A. This took place in February of 1948.

Q. Did you destroy your membership book at that time? A. I had handed it over to Roy Leib and he had destroyed it for me.

Q. Who was Roy Leib? A. Roy Leib was chairman of the Collinwood section of the Communist Party.

Q. Mr. Blanc, prior to the time the number system of keeping records in the Party came into use in the Party, what type of records did you use and what happened to those records after the new system came into existence?

A. The records that I didn't turn over to the Federal
8334 Bureau I destroyed.

Q. You mean the Federal Bureau of Investigation? A. That is right.

Q. Did you receive instructions to destroy those records? A. I did.

Q. From whom? A. Betty Erhart and Roy Leib.

Mr. Abt: I think we have just been over that.

Mr. LaFollette: I think he is tying it up. That is all right. This is the same series of instructions you have just testified about, the same period of time?

The Witness: No. First I think I made myself clear or I would like to make myself clear at this time, that the shop records such as membership books I turned over to Betty Erhart and Roy Leib, but at home I had records that I was told to destroy by Betty Erhart and Roy Leib, and instead of destroying them, what I didn't turn over to the Federal Bureau of Investigation, I destroyed.

Mr. LaFollette: Were these the records that you kept when you were—

The Witness: Chairman of the shop club and dues secretary.

Mr. LaFollette: I see. This was when you were chairman shop club?

The Witness: That is right.

8335 Mr. LaFollette: What happened at the time you
were literature and educational director of the Collinwood Club, I believe?

The Witness: Those records I had at home, because I was also in charge for literature and press in that section. It broke up into sections when security measures were taken, and the Collinwood section was the section that I belonged to. About nine or ten clubs would belong to a section.

Mr. LaFollette: Your shop club also belonged to the Collinwood section?

The Witness: That is right.

Mr. LaFollette: When did this take place?
The Witness: This took place in 1947.

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8336 Q. You were testifying, Mr. Blanc, concerning the new system of keeping Communist Party records of dues and membership which was started some time in 1947. After this period did the Communist Party issue any directives or publications in writing to the smaller units of the party?

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The Witness: No, they did not receive their directives.

By Mr. Story:

Q. Did you receive any directives in writing at all after this period? A. I did not.

Q. Did you see any documents of any kind in writing
8337 which appeared to come from a higher Communist Party headquarters, directing the different clubs to do anything, to take any action?

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The Witness: The Collinwood section at the home of Betty Erhart kept such records, and only her or Roy Leib handled them. Directives, stamps or anything pertaining to Party matters or policy were kept in a bread box at Betty Erhart's home.

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Mr. LaFollette: How do you know that, Mr. Blanc?
The Witness: I have seen them myself.

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Q. Prior to 1947 did you receive any directives personally which after 1947 you saw at the home of Betty Erhart? A. Prior to that—

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The Witness: I received directives mostly through
8338 the mail, although sometimes it would be handed to

me at the county office when I would be down there, mostly through the mails prior to the period 1947.

Q. Did you receive any directives at all after 1947 through the mail? A. I did not.

Q. Mr. Blanc, you testified before the noon recess that you received instructions to destroy the membership books for the different members of your shop club. Where did you receive these directives or these instructions? A. I received them from both Betty Erhart and Roy Leib.

Q. Approximately when did you receive those directives? A. In the fall of 1947.

Q. Was this at a Communist Party meeting? A. This was at a meeting conducted at Betty Erhart's home.

Q. What meeting? A. The Collinwood section of the Communist Party.

Q. Were any statements made at this meeting as to why the membership books were to be destroyed?

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The Witness: Yes.

By Mr. Story:

Q. What was said?

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8339 The Witness: We were told for us to destroy all of the membership books for security reasons, that they did not want the books to get into the wrong hands.

Mr. LaFollette: Who made this statement?

The Witness: Betty Erhart made that statement.

By Mr. Story:

Q. Mr. Blanc, did any members of the Communist Party use a Party name or an alias at any time during your membership in the Party? A. Yes, they have.

Q. Did you at any time use a Party name or an alias in connection with your Communist Party activities? A. In 1934, '35, and '36 I used the Party name of Roy Smith.

Q. Why did you use a Party name?

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The Witness: I was told to use a Party name to conceal my identity in the Communist Party.

Mr. LaFollette: By whom?

The Witness: By Johnny Williamson.

Mr. LaFollette: Who was he?

8340 The Witness: Johnny Williamson at that time was a state functionary of the Communist Party of Ohio.

Mr. LaFollette: What position did he hold?

The Witness: He was state secretary.

By Mr. Story:

Q. Is that the same John Williamson that was at one time a member of the National Executive Board of the Communist Party? A. It is.

Q. Was Mr. Williamson one of the defendants in the Foley Square trial?

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The Witness: That is right; he was.

By Mr. Story:

Q. Mr. Blanc, was any other system used in Communist Party directives to conceal the identy of members of the Communist Party, other than the use of Party names? A. There was.

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8341 The Witness: A directive was issued to the clubs for a recruiting drive, where the names weren't used in full. It is possible that their first name and their initial was used.

By Mr. Story:

Q. Were you told by any members of the Communist Party why that was done?

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The Witness: I was.

By Mr. Story:

Q. Why was it done? A. For security reasons, for the Party members not to be identified as doing that type of work.

Mr. LaFollette: When was this?

The Witness: 1947.

Mr. LaFollette: By whom were you told?

The Witness: At the conference meeting.

Mr. LaFollette: At the conference meeting?

The Witness: At the General recruiting meeting.

Mr. LaFollette: Where was this general recruiting meeting held? 8342

The Witness: It was held in Cleveland, Ohio.

Mr. LaFollette: Yes, but I mean was it held in any branch or section?

The Witness: The Collinwood section.

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8349 Q. Mr. Blanc, I hand you Government's Exhibit 349 for identification and ask you if you can identify the document. A. Yes. This is the document which was given to me at that reconvened convention held in August of 1945, the recommendations of the nominating committee for the state committee.

Q. Is that the copy which you used during this convention? A. It is the copy that I used in that convention.

Q. Did you retain that copy in your possession until the time that you appeared before this Panel? A. I only retained this until after the convention, and I offered this to the Federal Bureau of Investigation as my report, with my report.

Q. Did you place any marks of identification on that copy prior to the time you turned it over to the FBI? A. I did, on the last page. I made a notation on there telling the agent "Wherever X appears in front of the name, that member was not elected to the State Committee. 59 members on the State Committee."

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8350 Q. Mr. Blanc, in order to clear the records will you check in document and read the names of the persons appearing on that list who were not elected to the State Committee? A. The first one was Fred Hall, whose correct name is Fred Haug. The next is Marie Rice, whose correct name is Marie Reed. Wendell Ringholtz. That is the correct name. Francis Murphy, Gene Stoll, Clara Furing, Anne Brown, Laverne Slagle, and Jerome Woodward are all correct names of people not elected to the State Committee.

Q. I notice that there appears to be an "X" in front of Max Wall's name. Was he elected to the State Committee? A. I don't remember at this time. There are 8351 some down at the bottom of page 1; Tommy Miller and Tommy West were not elected to the State Committee.

Q. Mr. Blanc, you have mentioned that some of the names appearing on that document were not the correct names of individuals as they are listed on the document. Will you check the names and tell the Panel the correct names of the persons appearing on this list under Party names or aliases?

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The Witness: Fred Hall is the actual Fred Haug. H. Larkin is H. Schneider.

8352 Mr. Abt: Who is that?

The Witness: H. Larkin.

Mr. LaFollette: Shop leader, AF of L.

The Witness: Above that, Joe Kelley is Joe Cress. Hy Lewis is Hy Lumer. Marie Rice is Marie Reed.

That is all.

By Mr. Story:

Q. Mr. Blanc, did you know these individuals whom you have just listed? A. I did.

Q. Personally, outside of party activities? A. I did.

Q. Did you know their names outside of the Communist Party activities? A. Yes, I did.

Q. Mr. Blanc, what happened to these nominating lists after the balloting had been taken at this convention? A. The nominating committee that handed these lists out had the correct number of lists that was given out. The Chairman asked that all of these nominating lists be returned at the end of the elections.

Q. Were all the nominating lists returned after the elections?

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8353 The Witness: All but two of these lists were returned. The Chairman of the nominating committee, after counting them upon the return of these documents, pleaded with the delegates to return the other two.

By Mr. Story:

Q. Was a search conducted in an effort to find these two lists? A. A search was conducted.

Q. Did they find them? A. They did not.

Q. Did you know where either of these missing lists were?

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The Witness: I did.

By Mr. Story:

Q. Where were they? A. The one list I had, which I turned over to the Federal Bureau of Investigation after the convention.

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8355 Q. Mr. Blanc, how were Communist Party directives transmitted during the latter years, namely 1948 and 1949?

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The Witness: They were picked up at the county office and taken over to either Betty Erhart's home or Roy Leib's.

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8356 Mr. LaFollette: How do you know this?

The Witness: I used to go to the county office on Saturday mornings and pick up the Sunday Worker when I was press director, for delivery among the different clubs that I delivered to, and directives and messages in envelopes were given to me for Betty Erhart or Roy Leib, and I would deliver them to either party as I was directed to, to Roy Leib or Betty Erhart.

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Q. Mr. Blanc, prior to the recess you testified that you were used as a courier for Communist Party directives between the County office and the section office. Did you ever receive any Communist Party directives by way of courier at any time? A. At my home on two occasions I received directives which Roy Leib brought to my home.

Q. Approximately when was that? A. That was in the spring of 1949.

Q. Prior to that time how did you receive similar directives or documents? A. Outside of picking them
8357 up and taking them to where they were supposed to go, like Betty Erhart's or Roy Leib's home, the directives weren't given to any chairman. They were read off either by Betty Erhart or Roy Leib at our Collinwood section meeting.

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Q. How did you receive similar directives back in 1944?

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The Witness: Either through mail or when I used to visit the office, mostly through the mail.

Q. Did you receive any directives by mail during the years 1948 and 1949? A. I did not.

Q. Mr. Blanc, at any time during your membership in the Communist Party were you called upon by any governmental agency to admit or deny your membership in the Communist Party?

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The Witness: I was. Being a member of—

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8358 Q. When and by what agency were you called upon to admit or deny your membership in the Communist Party? A. Being a member of the Executive Board of the Local Union, under the Taft-Hartley Act we were required to sign a non-Communist affidavit.

Q. Do you recall when? A. That was in February or March of 1948.

Q. Did you discuss this affidavit with any of the members of the Communist Party? A. I discussed this with both Gus Hall and Roy Leib.

Q. Did you receive any instructions as a result of this discussion?

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The Witness: I was told to go ahead and sign the non-Communist affidavit as required by the Taft-Hartley law, and it wouldn't make any difference because all I would have to do to overcome being prosecuted was to submit my resignation in to the Communist Party prior to the time that the Taft-Hartley law took effect.

Q. Did you submit a letter of resignation? A. I didn't submit a letter. The letter was drawn up at the
8359 county office of the Communist Party.

Q. Who, if you know, drew this letter up? A. Gus Hall.

Q. Did you sign it? A. I signed both the original and a duplicate. I gave them the original and maintained the duplicate myself.

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Q. Mr. Blanc, I hand you a document which has been marked for identification Petitioner's Exhibit 350 and ask you if you can identify the document? A. I can.

Q. Is this the letter that you have just testified to, concerning your resignation from the Communist Party? A. This is a duplicate of the original that was drawn up at the County office, and they maintained the original and this is the duplicate.

Q. Did you keep this copy of the letter in your
8360 possession until you appeared before this Board?
A. I only kept this in my possession for a few days and then I turned this letter over to the Federal Bureau of Investigation.

Q. Is that your signature on this letter? A. That is my signature.

Q. Petitioner's Exhibit for identification 350 is dated July 28, 1947. At what time did you sign this letter? A. It was in February of 1948.

Q. Were you told why this date, July 28, 1947, was placed on this letter?

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The Witness: I was told by Gus Hall at the time I was in the county office in February 1948 that the letter would have to be pre-dated prior to the time that the Taft-Hartley went into effect so that if anything went wrong they would always produce evidence that I had tendered my resignation to the Communist Party prior to August 1, 1947, at which time the Taft-Hartley Act became effective.

By Mr. Story:

Q. Did you have a membership card in the Communist Party at the time you signed this letter? A. I did. I was told by Gus Hall to destroy it.

Q. Did you destroy it? A. I didn't destroy it. Roy
8361 Leib destroyed it for me.

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8415 Q. Mr. Blanc, did you attend any meetings of the Communist Party in Ohio where plans were discussed for taking the Communist Party underground?

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The Witness: I did, in May 1948.

By Mr. Story:

Q. Where was the meeting held? A. In Hy Lumer's home in Cleveland, Ohio.

Q. What took place at this meeting? A. This was
8416 an emergency meeting at which all chairmen or anybody else in the clubs that held a job as secretary or chairman and top union level people that worked with the Communist Party met at the home of Hy Lumer for preparations for emergency raising a fund of $50,000. This fund was to be raised among the different clubs in Cleveland, Ohio for the purpose of buying stencils, inks, papers, et cetera, for the Party to have on hand when it moved underground.

Q. Were any provisions made for transporting or storing this equipment?

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The Witness: There was. Joe Brandt presided at the meeting. When asked by different people at the meeting where the stuff was going to be taken to or who was going to pick it up he made reference that Dave Katz would pick it up in his truck and only Dave Katz would know where the stuff went to.

By Mr. Story:

Q. Were any statements made at this meeting as to why the Party was planning underground activity? A. Joe Brandt made a statement at this meeting clarifying the reason for such a meeting, saying that we had to be prepared to move underground in case the Mundt 8417 Bill passed and that we had to make preparations to be prepared to work from underground.

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Q. Did Joe Brandt hold a position in the Communist Party at the time he attended this meeting and made these statements? A. Joe Brandt at that time was working at the top level Communist Party in Cuyahoga County with the local unions.

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Q. How long did you know Joe Brandt in the Communist Party out in Ohio? A. About three years, up to the time I left the Party.

Q. Did you participate in collecting any money 8418 for this fund and in organizing this meeting? A. A quota for my section was handed to Roy Leib and I who represented our section at that meeting, a quota of $3500 to be raised among our club members and ourselves, and we were given a ten-day period in which to raise it.

Q. Did your section meet its quota? A. No, we did not. I think we fell short some three or four hundred dollars.

Q. What happened to this money after it was collected in your section? A. All the money was turned over to Roy Leib.

Q. What position did Leib have at that time? A. Leib at that time was the Chairman of the Collinwood section of the Communist Party.

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Q. Was membership on important committees of the Communist Party changed at any time during your membership?

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The Witness: It was.

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8419 Q. Mr. Blanc, you have testified that you attended the state convention of the Communist Party of Ohio in 1948, is that correct? A. That is correct.

Q. You have just testified that at this state con-
8420 vention, the state committee was reduced from a certain number, 50 or 60, I think, to a total of 11 members, is that correct? A. That is correct.

Q. Were any reasons stated by any of the members or delegates at this convention as to why the state committee was to be reduced? A. There was.

Q. What was that reason? Who made the statement and tell what was said. A. Gus Hall made the statement, that the reason that the state committee was reduced from its present membership to a total of 11 was that it would be a close-formed committee and it would be better to operate with a smaller committee, that if anybody got into trouble they would always have replacements for such a committee from the past members who had served on that state committee.

Q. When in 1948 was this convention held? A. In the summer of 1948.

Q. Mr. Blanc, was the subject of allegiance owed by members of the Communist Party discussed in any Communist Party school or Communist Party meeting which you attended?

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8421 The Witness. There was.

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Q. Mr. Blanc, were members of the Communist Party taught that they owed allegiance to the Government of the United States during your membership in the Communist Party?

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8422 The Witness: The Communist Party members were always taught that they owed their allegiance to the democratic forces of the world, and that Russia was that democratic force.

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Mr. Brown: Can you further identify the making of this statement as to the time, place and by whom made?

The Witness: At several meetings in the spring of 1948 at either Jack Lencl's home or Roy Leib's or Betty Erhart's, the statement was made by either Betty Erhart or Roy Leib.

Mr. Brown: In your presence?

The Witness: In my presence.

By Mr. Story:

Q. Mr. Blanc, you have testified that you attended
8423 the Communist Party school at the West Side Hungarian Hall in June of 1948, is that correct? A. That is correct.

Q. Was the subject of allegiance mentioned at any time during the course of that school? A. There was.

Q. Will you tell the Panel what was said and who made the statement? A. Anthony Kirchmarek, who was an instructor at that school at the time, told the class that the United States was out to crush Russia and the progressive party. He said it was the duty of all Communists in the United States not to fight an unjust war, that Communists would recognize and fight a just war, but an unjust war, no. It was our duty to defeat their every purpose. We weren't to be brought into a third world war and we weren't going to be neutral as we were in the second world war. We would know when the time came for a third world war between the United States and Russia that we would be prepared to do what we could to hamper their every effort in crushing Russia.

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Q. What were you taught, Mr. Blanc, as to the meaning of an unjust war, by the Communist Party? A. An

unjust war is a war that is fought among the money monopolies for the control of world interests, and an unjust war
would be a war of Wall Street brokers and money
8424 monopolies against Russia.

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Q. What did Hall say at this rally in May of 1948?
8430 A. There again Hall stated that Napoleon tried to
8431 win wars for the French kings and was defeated,
that Hitler tried to win a war for the German trusts and cartels and he also was defeated. Now, he said, we are faced with the money monopolies and the Wall Street brokers trying to make war against Russia. He said, they will be defeated because the money monopolies of Wall Street know well that the Communist Party of the United States will not stand still and be neutral, that we would have a voice in it, that we would go out and hamper their every attempt in trying to crush Russia and trying to keep the United States of America from ruling the world.

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8584 Redirect Examination

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Q. Did you send this letter by mail to the Communist Party headquarters in Ohio? A. I did not.

Q. Will you explain the portion on the bottom of Government Exhibit 350 where you have stated that you wrote "Sent by mail 7/28-47"?

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The Witness: That was put there on the advice of Gus Hall, who told me to make that notation in case some reference was made to it when I resigned from the Communist Party of Cleveland, Ohio. That was put there for the purpose of protection for myself. I resigned prior to
August 1, upon the inception of the Taft-Hartley
8585 law, when it became effective.

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William Garfield Cummings called as a witness for Petitioner, having been first duly sworn, was examined
8603 and testified as follows:

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Direct Examination

Q. What was the purpose of this meeting of the state committee?

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The Witness: The purpose of this meeting was to discuss the National Board Resolution on dissolving the
8617 Communist Political Association.

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8619 Q. What was said about Earl Browder and his policies? A. Several of the delegates made statements that Mr. Earl Browder had deviated from the Marxist-Leninist line and that they appreciated very much this being called to their attention by Mr. Jacques Duclos, and they also—I want to think just a minute. I want to get this in there. After the meeting between Mr. Churchill, Mr. Roosevelt and Mr. Stalin, they said that the Party had completely deviated from the Marxist-Leninist line and it had generated into revisionism.

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8629 Q. What was Roddie Lester's position in the Communist Party at the time you knew him? A. At the time I knew Mr. Lester he was press director of the Communist Party of Lucas County.

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Q. What did Roddie Lester tell you about Party schools in Russia? A. In the course of a conversation with Roddie Lester he told me that he attended a Communist Party school in Russia.

Q. When did this conversation take place? A. This conversation took place in the latter part of 1945.

Q. Where? A. In Toledo, Ohio, the headquarters of the Communist Party at Lincoln House.

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8637 Q. Did Lewis mention any people he had met at the Lenin Institute?

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The Witness: He spoke of Mr. George Siskind. He said Mr. George Siskind attended the Institute at about the same time he did.

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8644 Q. While you were a member of the Communist Party did you know of there being more than one type of member?

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The Witness: I do. There was more than one type, open and concealed members.

By Mr. Nelson:

Q. In your position as a member of the State Committee did you of your own knowledge know any concealed members? 8645

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The Witness: I did.

By Mr. Nelson:

Q. Can you name any concealed members of the Party?

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8646 A. Mr. Charlie Clark of 2746 Mulberry Street in Toledo, Ohio. He was a concealed member.

8647 Q. How do you know that?

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The Witness: At a Communist Party state committee meeting in Cleveland in 1948 the local Communist Party of the City of Toledo was instructed by the State leadership to keep Mr. Charlie Clark's membership concealed in the

Communist Party. He was also a member of the Progressive Party.

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Q. What contacts did you have with this Charlie Clark? A. One of the contacts was through his Communist Party membership. The second contact was in the industrial club of the Communist Party in the City of Toledo. He was also a trade union member.

Q. Were you present when Charlie Clark was given these instructions? A. I was. I was present in Cleveland and also in the City of Toledo.

8648 Q. Who gave him these instructions? A. Joe Sokol gave him the instructions in the City of Toledo.

Q. Do you know the name of any other person who operated as a concealed member of the Party? A. Ed Love operated as a concealed member of the Communist Party.

Q. How do you know that? A. I knew him to be a member of the Communist Party, and I know that he operated under the name of Edwin Lee in the Communist Party.

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Q. Do you know the names of any other concealed members? A. Not in the City of Toledo. I can not recall the names of any other concealed members in the City of Toledo.

Q. Do you know other concealed members elsewhere? A. Only on the State Committee.

Q. I don't think you understand me. Do you know
8649 of concealed members in the Party other than in the
City of Toledo? A. In Cleveland and in Youngstown
there were concealed members.

Q. Do you personally know of your own knowledge? A. Of my own knowledge I know.

Q. Who were the concealed members in Cleveland that you know? A. I know of Kermit M. Kirkendoll, who was on the State Committee.

Q. Going back to Charlie Clark, what function did he perform as a concealed member of the Party?

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The Witness: He was on the State Committee. He functioned on the County Committee, the Committee of Lucas County.

Q. What private business was he in? How did he make his living? A. He was employed at the Dana Corporation of the Spicer Manufacturing Co. He was chief steward of that local unit, Local 12.

Q. You say he received his instructions to operate as a concealed member in 1948. What functions did he perform for the party operating as a concealed member?

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8650 The Witness: He was vice chairman of the Progressive Party of Lucas County.

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The Witness: He also ran for city councilman on the Progressive Party ticket in 1949.

By Mr. Nelson:

Q. How about this Edwin Lee or Edwin Love—that is the same person? A. The same person.

Q. What did he do for a living? A. He was employed at the Willys-Overland and his profession was school
8651 teacher. For the duration of the war he was employed at the Willys-Overland Motors.

Q. What function did he perform for the Party as a concealed member? A. He wasn't too active in the Communist Party. His biggest function, he was on what they call the Social Committee, a committee to arrange social functions for the Communist Party. He was on the Social Committee. He was chairman of the Social Committee in 1946.

Q. This other man you mentioned was Kermit Kirkendoll. A. Kermit M. Kirkendoll.

Q. What was his means of livelihood? A. He was in the State Senate, the State of Ohio.

Q. What function did he perform for the Party? A. I believe he came from the trade union movement, and then he went to the Senate. That was his function.

Q. What position did he hold in the Party? A. He was on the State Committee of the Communist Party, the State of Ohio.

Q. Mr. Cummings, while you were a member of the Communist Party and a member of the State Committee of Ohio did you ever have any discussions with other party members or state committee members concerning Party members testifying in courts or before legislative bodies?
A. I did.

8652 Q. Where and when did you have such a discussion?

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8654 The Witness: Mr. Joe Sokol instructed me personally, he also instructed the members of the County
8655 Committee of the Communist Party of Lucas County that at no time they should admit that they were a member of the Communist Party if they were asked by any law enforcement officers, such as the Federal Bureau of Investigation, police force, and not even the trade union leaders should know it if they were asked. That was after the security period in 1947 in Cleveland, Ohio at the home of an attorney by the name of Sam. In East Cleveland, Ohio, at a Communist Party state committee meeting, special State Committee meeting, Mr. Gus Hall also gave these very same instructions.

By Mr. Nelson:

Q. Mr. Cummings, were you yourself personally given such instructions? A. I was personally given these instructions by the local Communist Party of Lucas County and also the state leadership gave me these instructions.

Q. Who else was present when Joe Sokol made that statement to you? A. Mrs. Regina Sokol, Max Wall and Flo Wall was present.

Q. On the occasion when Guss Hall gave those instructions? A. Miss Betty Riley was present; Frank Hasmall was present; Joe Sokol was present; and there were a number of others. I just can't recall them offhand.

Q. Were they all Party members? A. All Party members because this was a concealed meeting, one of 8656 the concealed meetings. It was a state committee meeting.

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Q. Mr. Cummings, were you ever asked by any legislative body or a court or any person if you were a member of the Communist Party?

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The Witness: I was.

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Q. On what occasion, when and where? What was the occasion? A. I was asked in 1947 by Mr. John Begg, the Chairman of the Electric Autolite unit if I was a Communist. He didn't ask me if I was a member of the Communist Party. He asked me if I was a Communist.

Q. What answer did you give him? A. I gave him a truthful answer. I told him no, I wasn't, that I wasn't a Communist.

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8657 Q. At the time Mr. Begg asked you this question, were you a member of the Communist Party? A. I was.

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Q. How do you reconcile the statement that you were a member of the Communist Party with the fact that you answered Mr. Begg that you were not a Communist? A. Because I absolutely didn't believe in the teachings of the Commnuist organization.

Q. Mr. Cummings, during your membership in 8658 the Communist Party from 1943 to 1949, did you have anything to do with Communist Party records? A. I did.

Q. Were you acquainted with the way the Party maintained its records? A. I was.

Q. Will you describe these various records that as a Communist you knew about? A. They had what was known as the membership list. They had the Daily Worker list, the Daily and Sunday Worker list. They also had what was known as the regular mailing list.

Q. Were all these records kept in the same manner? A. They were not kept in the same manner, not exactly the same manner. They were kept separately. There were different records. The regular mailing list was a list to which they mailed weekly or monthly certain Communist Party literature, trade union throw-aways, et cetera, the regular mailing list. The membership list was simply a list of the Communist Party members. The Daily and Sunday Worker list was the list of the people who read the Daily and the Sunday Worker.

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8659 Q. Where were the various records kept and how were they kept? A. Up until the security period the record was kept in the Communist Party headquarters, but after the security period then they began hiding these records in different places.

Q. What did you mean by the Security period, Mr. Cummings? A. Until up until 1947-48 the records were kept in the Communist Party headquarters, but after the Party began making preparations to go underground they referred to it as the security period.

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The Witness: It was referred to as a security period. That started in 1947 and 1948.

By Mr. Nelson:

8660 Q. Will you describe the manner of keeping records before the security period and after the security period? A. I think I partially described the method of keeping records before the security period. The records were kept in the office. They had cards, the names were put on cards, and they were put in a file. That is the way the records were kept. But after the security period then they didn't keep records in the same way as they did before. The regular mailing list was blown into quite a large list with a number of prominent Toledo people included who didn't belong to the Communist Party, that they didn't mail out the literature to, but they were included in this list.

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Q. How do you know? A. Because I had access to the list, and I knew the members of the Communist Party and I knew also people who were on this list—I didn't know the people who were on this list, but I knew
8661 there were people on this list, prominent people
in Toledo, who were on this list. I also participated in the discussions when this was included.

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Q. Did you discuss the inclusion of these people in this list with other party leaders? A. Yes, we did.

Q. What was the nature of that discussion? A. The nature of that discussion was that it had been handed down from the National Committee that they should take all measures of security to protect the Communist Party members, and it was agreed locally, the local executive board, that that was the method, that they would devise that method of blowing up this membership list to conceal the membership.

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8662 Q. Mr. Cummings, were these names of non-Party persons included in this list fictitious names? A. A few were fictitious names, but the most of them were correct names.

Q. Correct addresses? A. There weren't any addresses at all.

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Q. Why were you Communist Party members padding this list? A. We were padding it to conceal the identity of the members, the actual Communist Party members. It was a security measure.

Q. After the security period were the records maintained in the office? A. They were not.

8663 Q. Do you know what was done with some of these records? A. Some of the records were kept in the home, the business place of Sam Boris. This was near the corner—It was on Superior Street near the corner of Jackson Street in Toledo, Ohio. It was a photographer's shop.

Q. Sam Boris was a Party member? A. He was a Party member.

Q. Did the Party have an office at the time these records were kept in Sam Boris' place? A. They did, at 501-1/2 Monroe Street.

Q. Do you know of any other places that the Party records were maintained after the security period? A. At the home of Max Wall, 147 Maumee Avenue.

Q. During what period were these records kept at the home of Max Wall? A. This was also during the security period.

Q. Was there any other place the Party maintained records? A. Well, I had them at my mother's place at one time, at my mother's home. That was 1201 Ironwood Avenue.

Q. You are speaking of records generally. Just what records were these that were kept at these various places other than the office of the Party? A. There was the mailing list, the regular mailing list, the Daily and Sunday Worker list. Those are the ones.

8664 Q. Mr. Cummings, do you know a person by the name of Elizabeth Gurley Flynn? A. I do. I know her.

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Q. Where and when did you meet her? A. I met her on three different occasions. I met her at a meeting at Kapps Hall in the City of Toledo, where she spoke, I also met her in the summer of 1947 at the home of Charlie Clark, 2746 Mulberry Street.

Q. What was the occasion for your meeting there at the home of Charlie Clark? A. There was a special meeting that was called on security.

Q. Did you know what position Elizabeth Gurley Flynn held in the Communist Party? A. At that time Miss Flynn was national chairman of the Women's Division of the Communist Party.

Q. Was this meeting at which you met her a regular meeting of the Party in Toledo? A. No, it was not. This was a special meeting. It was a called meeting, an emergency meeting, on security.

Q. Did Miss Flynn address this group on that occasion? A. She did. She addressed the group.

8665 Q. What was the substance of her conversation or her address? A. Emphasizing security. This was in 1947 and she said we should stop using the telephone to call Communist Party members. We should not use the mail for mailing literature to Communist Party members. She said we should not carry lists of the Communist Party members around on our person or billfolds, our person, and et cetera.

Q. Did she make any mention of the official Party records? A. She said the official Party records should be destroyed.

Q. Did she make any specific mention of membership lists? A. She said they should be also destroyed.

Q. During her speech, which you say was on the subject of Party security, did she say anything about using party names?

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The Witness: She said we should use false, fictitious Party names, not your correct name, an incorrect name, for concealed members.

By Mr. Nelson:

Q. Was anything said as to why the meeting was called
and why a member of the National Committee would
address this meeting? A. I don't recall just why
8666 this security measure was being taken, but there
was something happening, whether it was a real
scare thrown into the organization, and she was assigned
to one section of the country to warn the Communist
organizations in the different localities to begin going
underground.

Q. After this meeting that Miss Flynn addressed were there any subsequent meetings of Party officials in Ohio, in the county or in the state, concerned with the same subject, security? A. In the county and state. There was a county meeting held immediately of the county executive board and then a county committee. It was a question of their both being held the same night. The county executive board met and then the county committee went into session right after that.

Q. You attended that? A. Yes.

Q. As a member of the county committee? A. As a member of the County committee and also of the executive committee.

Q. Can you fix the date when Miss Flynn addressed this first meeting you spoke of? A. It would have been July of 1947, about July of 1947.

Q. You mentioned that a state meeting was held there-
after. Can you tell us where and when the state
8667 committee meeting was held? A. I mentioned this
meeting before in an answer. This meeting was
held also in July 1947 in Cleveland, Ohio, at the home of an
attorney by the name of Sam.

Q. Who was present at this meeting? A. Arnold Johnson, Gus Hall, Miss Betty Riley, Frank Hashmall, Joe Sokol, Admiral Kilpatrick, myself.

Q. Who was the main speaker, if there was a main speaker? A. There were two main speakers. Mr. Arnold Johnson was one of the main speakers, and Mr. Gus Hall was one of the main speakers.

Q. What did Gus Hall have to say in his remarks to the state committee meeting? A. In regard to the security he was critical of the members of the state committee for attending the meeting, breaking the rules that had been handed down by the National Committee for the state committee as far as attending meetings was concerned. We were not to attend this meeting in groups—we were only to attend in groups of two. We were to take the street car and not use cars at all. If four people arrived at this meeting simultaneously, two were to walk past the meeting place, two go in, two walk past the meeting place and come back and go in later, unless they met with someone simultaneously two more, and then the last two would keep going and those two would go in. That
8668 is the way the meeting was arranged.

Q. Did Gus Hall say anything about Party records, subscription lists for the Daily Worker, membership lists, and that sort of thing? A. He did, but I would like to finish this other question first. There is something I would like to add to it. That is that—May I please, Mr. Chairman?

Mr. Brown: Surely.

The Witness: That this method was handed down, orders were handed down from the National Committee, which were not kept at this meeting. People drove cars to the meeting. They congregated going into the meeting, et cetera. They didn't keep the orders that were given. Now your next question again.

By Mr. Nelson:

Q. To carry on what you mentioned there, did Gus Hall speak of this violation? A. He spoke of the violation. He was critical of the state committee for not following the orders that were handed down by the National Committee. He said he was going to take this up with the National Committee, and he was going to recommend expulsion for the members of the State Committee that had broken this rule.

Q. To your knowledge did anything follow from this criticism of Gus Hall? Were any members expelled? A. There were not any expelled, not to my knowledge.

Q. After Miss Flynn spoke you stated there was
8669 a meeting of the county committee, following shortly
after Elizabeth Curley Flynn spoke? A. The Lucas County Committee meeting and executive committee meeting.

Q. What was the purpose of this meeting? A. The purpose of this meeting was to inform or instruct the county committee on the report which was given by Miss Flynn. Miss Sokol was the main speaker at this meeting.

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Q. What did the committee say and decide? What happened? A. It wasn't a question of the committee deciding what it was going to do because those were orders that were handed down by the National Committee. The only thing they did at this meeting was to devise methods to comply with the orders of the National Committee.

Q. Where was this meeting held? A. At 147
8670 Maumee Avenue, at the home of Max Wall.

Q. What methods were devised by the county committee? A. There was one method—several of the ones we participated in and made suggestions. I gave one suggestion, and that was that the first name of Party members be written on one sheet of paper and the second name on another paper, paper with lines, and one list kept in one place and one in another, and when we wanted to find out just who was who, all we had to do was get the two sheets of paper and put them together and then you would have them. That method was devised locally there for a while, up until 1949. I don't know whether it was used after 1949.

Q. Was anything done with the records of the Party in Lucas County after this meeting? A. Most of the records were destroyed.

Q. You say you made a suggestion just how to keep future records of members. Was that suggestion adopted? A. It was adopted.

Q. You further stated that the previous records were destroyed. Did you play any part in that destruction? A. I did.

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8671 Q. What part did you play in the destruction of these records? A. I had access to a car, so I picked up the records at the office and at the home of Mr. Max Wall, a couple of large paper cartons and burned most of them after a period of time.

Q. The records you are speaking of that you obtained at the home of Max Wall—just what type of records were those? A. They were pamphlets, generally referred to as throwaways, bound books, et cetera.

Q. Were the Party membership lists destroyed at the same time? A. Part—I will say the old method of keeping Party membership lists was destroyed at that time.

Q. During all this time did the Party have an office in Toledo? A. They did, 501-1/2 Monroe Street.

Q. Mr. Cummings, were communist Party membership books issued for all the years that you were a member of the Party? A. They were not. 8672

Q. Can you tell us when they stopped issuing Party membership books? A. They were issued up until 1949.

Q. Were instructions given to discontinue membership books? A. They were.

Q. That was when? A. 1948.

Q. What happened to the old Party membership books? A. You are referring to the period of time before—

Q. When they had them. A. You were required to return the old Communist Party membership card or book to the Communist organization and you received a new one.

Q. Did you turn in your Party membership book each year turn back the old one? A. Well, there was one year I believe I didn't have one to return.

Q. Were you ever told to destroy your membership book?

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The Witness: I was. I was told to.

By Mr. Nelson:

8673 Q. Who told you that? A. I was told locally by Joe Sokol to destroy my Communist Party membership book, but I also attended a state committee meeting in Cleveland where it was discussed and I was also instructed at the state committee meeting to go out and instruct the Communist party members in Lucas County to destroy their membership books, which I did.

Q. Mr. Cummings, during your membership in the Party did you ever know any other Party member by more than one name? A. I did.

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8674 Q. Earlier, I believe you mentioned a Party member by the name of Edwin Love. Did you ever know him by any other name? A. By the name of Edwin Lee, I did.

Q. Do you know which was his actual name? A. Edwin Love was his true name.

Q. How did you happen to know him also as—under what circumstances—did you know him as Edwin Lee? A. His membership in the Communist organization, and he subscribed to the Sunday Worker of the Communist Party under the name of Edwin Lee.

Q. Did you know other Party members by more than one name? A. I did. I knew Jack Carson by the name of Tony Ryan.

Q. Was it a common practice in the Party for certain Party members to use more than one name?

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The Witness: It was a common practice.

By Mr. Nelson:

Q. Did you ever use any other name yourself? A. Not in connection with the Communist Party, I didn't.

Q. What was the purpose of these persons using more than one name?

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8675 A. To conceal their identity with the Communist Party.

Q. You mentioned Edwin Love went under the name of Edwin Lee. Can you name others that used other false names or Party names? A. Yes, Eugene Stoll used the name of Johnston. I believe it was Eugene Johnston. He used the name Eugene Johnston, I believe that was in the thirties. I am speaking locally.

Q. Locally, Toledo. A. I was speaking locally of the local organization, but on a state scale I knew a gentleman in Akron, Ohio, who was known as Tommy L. I don't know what his full name was. He was only referred to as Tommy L.

Q. Do you know a person named Regina Sokol? A. I do.

Q. Was she a member of the Communist Party in Toledo? A. She was a member, the wife of Joe Sokol.

Q. Did she use any other name besides Regina Sokol? A. She did in her employment at the Willys-Overland Motors company. She used the name of Regina Rosen.

Q. Did you know a member of the Communist
8676 Party in Toledo named George Carson? A. I do.

Q. Did you ever know him to use any other name? A. Tony Ryan.

Q. Are there any others you can think of offhand, Mr. Cummings? A. Not locally.

Q. Mr. Cummings, you previously testified you were the chairman or captain of the shop club at Electric Autolite. A. That is right.

Q. As captain or chairman of this group what were your responsibilities? A. My responsibilities were to keep in contact, daily contact, with each member of Electric Autolite Shop Club.

Q. Did those responsibilities include collecting dues? A. Collecting dues, asking for financial contributions to the organization, et cetera.

Q. What method would you use for collecting dues? That is, recording payments of dues. A. They devised a method locally for collecting dues that went by numbers. I believe it was eight members of the Electric Autolite, and they started at one and came down to 8. They started putting the 1948 Party card numbers.

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8677 Q. Mr. Cummings, I show you what has been marked Petitioner's Exhibit for identification No. 353 and ask you if you recognize this. A. I do. I recognize this document.

Q. I call your attention to the initials "W.G.C." thereon. Did you write that on there? A. I did.

Q. Is any of the other handwriting on there your handwriting? A. At the bottom, "Call Joe Sokol." That is mine.

Q. "Autolite CP shop cell." That isn't? It is
8678 "Call Joe Sokol"? A. It is "Autolite, CP shop cell."
That is as far as I went, mine is "Call Joe Sokol."

Q. The only writing is your initials and "Call Joe Sokol"? A. That is right.

Q. How did this paper happen to come into your possession? A. Mr. Sokol gave me this to use in the shop in regards to collecting dues and financial contributions.

Q. He gave this to you to use to collect the dues? A. That is right, at the Electric Autolite.

Q. At the top there is a column of numbers running down one through 8. At the top opposite number 1 appears the number 63042. What does that number mean to you, if anything? A. That was my card number for 1948, my party card number for 1948.

Q. Opposite No. 4 appears the number 63112. Does that mean anything to you? A. That was Mr. Walter Harrison's card Party number for 1948.

Q. You didn't write these Party card numbers? A. I did not. Sokol wrote those.

Q. This is what you used to collect dues? A. That is right.

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8679 Q. Just how would you use this paper or what was the significance of the column of numbers 1 to 8?

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The Witness: By those numbers I was to know, myself and Mr. Sokol, were to know each person by this 1, 2, 3, 4, 5, 6, 7, and 8, even if we weren't able to get each one of the 1948 Party numbers on there. I was No. 1, and I know Walter Harrison was No. 4, and there were others.

By Mr. Nelson:

Q. Why didn't you use the names?

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8680 The Witness: For security reasons. It was another one of the security measures that were used.

By Mr. Nelson:

Q. How did it happen that you used this number system? Did you receive instructions to do it this way?

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The Witness: We received instructions locally to use them that way.

Q. Who gave you those instructions? A. Joe Sokol.

Q. Anybody else? A. The state leadership—they instructed—instruction was given at the state committee meeting for each locality to devise methods to keep a record of the Party dues and collections. That was devised as far as the shop club was concerned in the City of Toledo.

Q. When you say the State Committee do you recall the particular member of the Committee that gave those instructions? A. I recall that Gus Hall was Chairman and he gave those instructions, because they were instructions from the National Committee that it was so important that each state committee meeting throughout the United States as far as the Communist Party was concerned,

8681 that the chairman of each state should emphasize security, security, security. That was handed down from the National Executive Board of the Communist Party.

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Q. Mr. Cummings, you testified that you attended the second convention of the Communist Party of the State of Ohio in August of 1945 that reconstituted the Party. Did you see any persons there that you knew by more than one name? A. I did.

Q. Can you tell us what you recall on that subject? A. It was Joe Kress. Let me think for a moment. Kermit M. Kirkendoll was known as K. Ball.

Q. How do you know this? A. Because his name was listed in the nominations—he was nominated for the State Committee, and his name was on the nominating list. I knew him as Kermit M. Kirkendoll, and on this list he was listed as K. Ball.

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8682 Q. I show you, Mr. Cummings, what has been identified as Petitioner's Exhibit No. 354 and ask if you have ever seen this document before. A. I have.

Q. I call your attention, down here in the corner, to the date. Is this your writing down here? A. Yes, that is my writing.

Q. August 13, 1945, with a circle around it? A. That is right.

Q. What is this list, as you know it? A. This is the recommendations of the Nominating Committee, a list of names, recommendations of the Nominating Committee.

Q. At the state convention in August 1945? A. That is right.

Q. Look down this list under the heading of Cleveland, going on down here is a person by the name of Al Jones, with an "X" beside it. Did you make that X mark
8683 there? A. I did.

Q. What is the significance? Why did you put it there? A. I wasn't sure whether that was his correct name or not.

Q. Did you know this Al Jones by any other name? A. No, I didn't know him by any other name.

Q. Going down here further is a person by the name of Joe Kelly with an "X" mark beside his name, and out at the side the name of Joe Kress. Did you make that notation? A. The writing in ink is my writing, and that is the correct name, Joe Kress. He is listed as Joe Kelly.

Q. Going down further in the name column I call your attention to a person by the name of B. Mack. Will you explain the markings there? A. This gentleman is an AF of L leader and his name was McGorty.

Q. Two names below that I call your attention to the name of Marie Rice, with an "X" mark. How about that? A. Her name is Marie Reed Hague.

Q. Going over to the second column and coming down under the designation of Cincinnati, there is only one name there. Will you give us that name and explain the "X" mark and so forth? A. The "X" marking—the name is Max Smith listed here, and you notice after the
8684 "X" mark is a question mark. I didn't know at that time the correct name, and I didn't find out later what it was.

Q. Turning over to the second page where there is only one column, the first name under the designation of Dayton, what about that name? A. He is listed here as K. Ball, CIO union leader. His correct name is Kermit M. Kirkendoll.

Q. Did you personally know Mr. Kirkendoll? A. I personally knew him.

Q. Was he a member of the Party? A. He was a member of the Communist Party and a member of the Communist Political Association. He was a member of both.

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Q. Going down here further is a person by the name of Joe Kelly with an "X" mark beside his name, and out at the side the name of Joe Kress. Did you make that notation? A. The writing in ink is my writing, and that is the correct name, Joe Kress. He is listed as Joe Kelly.

Q. Going down further in the name column I call your attention to a person by the name of B. Mack. Will you explain the markings there? A. This gentleman is an AF of L leader and his name was McGorty.

Q. Two names below that I call your attention to the name of Marie Rice, with an "X" mark. How about that? A. Her name is Marie Reed Hague.

Q. Going over to the second column and coming down under the designation of Cincinnati, there is only one name there. Will you give us that name and explain the "X" mark and so forth? A. The "X" marking—the name is Max Smith listed here, and you notice after the
8684 "X" mark is a question mark. I didn't know at that time the correct name, and I didn't find out later what it was.

Q. Turning over to the second page where there is only one column, the first name under the designation of Dayton, what about that name? A. He is listed here as K. Ball, CIO union leader. His correct name is Kermit M. Kirkendoll.

Q. Did you personally know Mr. Kirkendoll? A. I personally knew him.

Q. Was he a member of the Party? A. He was a member of the Communist Party and a member of the Communist Political Association. He was a member of both.

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8687 Q. Mr. Cummings, were you a member of the Nominating Committee at this state convention? A. I was. I was a member of the Nominating Committee.

Q. Was there anything said about the persons listed on this nominating list? A. There was. Mr. Arnold Johnson instructed the nominating committee not to use the correct names of certain members who might be nominated for the state committee.

Q. Mr. Cummings, during the time that you were a member of the Party and a member of the County Committee and the State Committee, did you have any knowledge as to the methods of communication used between the various administrative offices of the Communist Party? A. I did. There was a courier system after 1948, in 1947 and '48, during the security period.

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8688 Q. How do you know they used a courier system?

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The Witness: On two occasions I was present when couriers brought messages in to the city of Toledo. On one occasion Mr. Joe Brandt brought messages in and delivered them to Joe Sokol at a hall on Gennessee Street in the city of Toledo, at a Communist Party meeting.

Q. Who was Joe Brandt? A. Joe Brandt was trade union director of the Communist Party of the State of Ohio.

Q. You say he brought documents to Joe Sokol. Where did he bring them from? Where did Brandt live? A. From the state office in Cleveland, Ohio.

Q. Were you present when he delivered these documents? A. I was present when he delivered the documents.

Q. You saw him deliver them? A. I saw him deliver them.

Q. Do you know what was in the documents, what it was about? A. One of the documents was on trade union concentration for the City of Toledo, Lucas County, 8689 and the other documents were instructions on the intended schools for the City of Toledo.

Q. What kind of schools? A. Communist Party schools.

Q. You mentioned you had two occasions to see such delivery of documents by courier. Will you recite or relate the circumstances of the other occasion? A. The second occasion was in March of 1949. Mr. Bob Campbell, who was Chairman of the Negro Commission of the State of Ohio, who was also on the State Committee of the State of Ohio, and the State Executive Board, came in Toledo and delivered documents to Joe Sokol.

Q. Were you present when these documents were delivered? A. I was present. I was chairman of this particular meeting.

Q. Did you see the documents delivered? A. I saw them delivered.

Q. Do you know what the documents were about? A. I think those documents—I am not sure, but they were on trade unions also.

Q. Mr. Cummings, during the time you were a member of the Communist Party in Toledo did the Communist Party receive mail at any place other than their official headquarters? A. They did. There were places
8690 where they received mail.

Q. How do you know? A. I went to those places to pick up Communist Party mail personally, and then I would drive the Chairman by to pick up mail.

Q. Were the places other than the Party headquarters where they would receive mail generally known?

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The Witness: These were secret places where we received mail.

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Q. How did you happen to know? A. Because, as I said, I picked up mail at those places. One was at a home of Mary Vallient and the home of Max Wall, 147 Maumee Avenue, and at the home of one Doctor John Pile on 12th Street, in the City of Toledo.

Q. Was Mary Vallient a member of the Communist Party? A. She was a member of the Communist Party.

Q. Was Dr. John S. Pyle a member of the Communist Party? A. He was. He was a member of the Communist Party.

Q. Did you pick up mail at all three of these addresses?

A. I did. I picked up mail at Dr. Pyle's on several 8691 occasions, and at the other places also.

Q. Did you deliver this mail to the official headquarters in Toledo? A. I delivered the mail to Joe Sokol, not to the headquarters. I delivered the mail to Joe Sokol.

Q. Who was chairman—A. Who was chairman of the Communist Party of Lucas County.

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8697 **Philip E. Mosely** recalled as a witness for Petitioner, having been previously duly sworn was examined and testified further as follows:

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8706 Cross examination

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9031 Mr. Lenvin:

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9032 As I am saying, we have not made any attempt to show how the Communist Party reaches the views which it did. All we are attempting to show is that it reached the view.

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9035 By Mr. Abt:

Q. Now Professor, in your opinion could an informed American observer during the entire period we have been discussing, that is from 1945 roughly to 1950, have formed the following opinions with reference to developments in China on the basis of his own independent judgment and in the honest and sincere belief that those opinions were in the interest of his own country?

Mr. Paisley: Objection.

Mr. Abt: I am making that preliminary statement, and then I am going to ask a series of questions as to the opinion.

By Mr. Abt:

Q. First, that the Kuomintang regime was decadent, feudalistic, reactionary and corrupt.

Mr. Lenvin: Objection.

Mr. Brown: Sustained.

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9054 Q. In your opinion, Professor, could a conscientious scholar, on the basis of an examination of Exhibit 276, which is the Foster article, form any opinions as to whether or not the views in that article with reference to the seating of the People's Republic of China in the United Nations were reached by Mr. Foster independently of what you testified to be the Soviet view on this question as typified by Exhibit No. 275?

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Q. Do you recall the question, Professor? A. Yes, I do, thank you.

In my opinion the basic policy recommendations and line of reasoning between the two items are directly parallel, and I have not previously testified on whether I had an opinion as to whether one was inspired by the other or directed by the other.

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9055 Mr. Abt: I think you had better read the question again, Mr. Reporter.

(The pending question was repeated by the Reporter)

The Witness: In order to answer that question more directly than I did in my first answer I would like to say that the evidence in the Foster article and the evidence in the statement by the Soviet representative at the Security Council is in my opinion as a conscientious scholar

evidence of their views, of their line of reasoning, but
not of the thought processes or political processes by
9056 which one or the other arrived at the position which
he stated.

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9057 Q. As I understood your answer to the previous
question, Professor, you answered not only with reference to the particular exhibits and the particular view that we are now discussing, that is, Exhibits 275 and 276 and the issue of the seating of the People's Republic of China in the United Nations, but you answered with reference to all the exhibits which have been offered in evidence. In other words, as I now understand it, you testified that the question of whether or not the views stated in any of the exhibits stemming from a Communist Party source were arrived at by the author of that view independently of what you testified to be the Soviet view as typified by an exhibit from a Soviet source is not a matter within your competence and that in no case you have an opinion on that question. Am I correct? A. I have concluded from my study of these and many other materials that the policy recommendations made by the official spokesmen of the Communist Party in the United States and in general the line of reasoning through which they support those recommendations are closely parallel to the policies advanced and promoted by the Soviet Government and supported by a closely parallel line of reasoning and analysis on the part of the Soviet presentations. I have not expressed any expert opinion as
9058 to the process by which the Communist Party of
the United States arrives either independently or dependently, with dependence on the particular statement or instruction or indication from another source, at its position. I do not consider that I have expert knowledge of that aspect of Communist Party policy decisions.

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9100 Q. Is it not a fact, Professor, that many contemporary commentators and many historians and other writers, subsequently commenting on this episode, all of whom are non-communists, expressed views similar to those expressed by Hoover and Gibson and similar to those expressed in Exhibit 166 with reference to the role of the League of Nations in the case of the Japanese invasion of Manchuria?

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Mr. Lenvin: The same objection.

Mr. Brown: Sustained.

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9180 Q. In your opinion, Professor, could not an informed American observer have come to the conclusion in 1934 that the entry of the Soviet Union into the League of Nations would make a material contribution to the cause of preserving world peace and come to that conclusion on the basis of his own independent judgment and in the honest belief that that view was in the interest of his own country?

Mr. Lenvin: I object, Mr. Chairman. It is wholly irrelevant.

Mr. Brown: The objection is sustained.

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9310 Q. In other words, if I understand you, you are now saying that what occurred was that a proposal was made to the affiliates of the Communist organization. You say that, having refreshed your recollection—Just a moment. You say that, having refreshed your recollection from Exhibit CP 30 for identification. And that no further public action or public statement of action was made, but that you observed that the building formerly occupied by the Communist International was no longer occupied by them when you were in Moscow, in 1943. Is that your statement? A. That is correct, in this sense: That I recall statements by individual national communist parties or their leaderships stating that they concurred in the decision. I do not know of any day at which representatives of those Communist Parties met and said that on this day the dissolution is legally carried out.

Q. Have you checked that question? Did you check it
before you testified about the dissolution of the Com-
9311 munist International? A. No, because the state-
ment of the proposal to dissolve the Communist
International was regarded as a decision to dissolve it.

Q. So regarded by you, was it not? A. Yes. Among other people—

Q. You don't know whether it was so regarded by the Communist International? A. Well, if it didn't regard it as so, I don't know of any outward expression of such views in contrast to the proposal made by the presidium in its executive committee.

Q. Wasn't the submission for ratification an outward expression of that? A. Well, I have already referred to the fact that whether the Communist Parties operated legally, the formal step was taken of approving or concurring in the proposal made by the Presidium of the executive committee of the International.

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9411 Q. Professor, would it not be possible for a reasonable and unbiased person, who examined the transcript of the evidence of the trials and studied all the surrounding facts and circumstances, independently and in the exercise of his own best and reasonable judgment, to reach the conclusion that the confessions were true and the defendants guilty as charged?

Mr. Paisley: I object.

Mr. Brown: Sustained.

By Mr. Abt:

Q. As a matter of fact, Professor, did not very many observers and commentators who studied the trials, or who were observers at the trials, reach this conclusion completely independently of, and without regard to, and without being influenced by, the so-called Soviet view?

Mr. Paisley: I object.
Mr. Brown: Sustained.

By Mr. Abt:

Q. Isn't it a fact, Professor, that such men as former Ambassador Davies, whom you testified this morning
9412 attended the trial daily, such men as the former President of Czechoslovakia, Mr. Benes, such men as Lord Beaverbrook, among many others, reached and stated their conclusion that the confessions of the defendants were true and that they were guilty as charged?

Mr. Paisley: I object.
Mr. Brown: Sustained.

By Mr. Abt:

Q. Professor, have you read Ambassador Davies' book, "Mission to Moscow"? A. I have.

Q. And have you read his article on the treason trials which appeared in the American Magazine for December, 1941? A. By whom?

Q. By Mr. Davies. A. I believe I did read it at the time.

Q. Does not Mr. Davies state both in his book, Mission to Moscow, and in the American Magazine article, the title of which is "How Russia Blasted Hitler's Spy" that on the basis of his daily attendance at the trial, his observations and all other knowledge with reference to them that he gathered while in the Soviet Union, that the defendants were substantially guilty as charged in the indictments?

Mr. Paisley: I object.
Mr. Brown: Sustained.

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9577 Q. Now at the time of the Seventh World Congress, the Communist party was an affiliate of the Communist Internationale, was it not? A. Yes.

Q. And as an affiliated organization, is it not a fact that it sent a number of delegates to the Seventh Con-
9578 gress? A. Yes, that is my understanding.

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9581 Q. Professor, you testified that the Communist party characterized the war between Germany and Britain and France which began in September, 1939, as an imperialist war and unjust war, did you not? A. Yes, that was the general purport of my comments on that.

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Q. In coming to this conclusion as to the character of the war, is it not a fact that the Communist party applied the Marxist or, if you prefer, the Marxist-Leninist concepts as to the causes and nature of wars, and as to the distinction between just and unjust wars which we reviewed in this cross-examination yesterday?

Mr. Lenvin. Before he answers that question, I would like to have the question read. I do not think I could understand it. I may be dense.

Mr. Brown. Mr. Reporter, please read the question.

(The pending question was read by the reporter
9582 as above recorded.)

Mr. Lenvin. I object to the question on the ground that it is irrelevant. It does not make any difference as to how they arrived at the view as to the war or that we had established what the view was.

Mr. Marcantonio. In other words, it does not make any difference how the Communist party reached any conclusion. Its thinking, its motivations, its literature in connection with, historical literature upon which it predicated its conclusions, in a given subject, has no bearing any more. Is that the contention?

Of course, I understand that is the contention of the petitioner. But I am addressing myself to the Panel in connection with this objection.

Mr. Brown. Well, the issue here is as to whether or not the same stand was taken on a given issue by both the Soviet Union—

Mr. Marcantonio. And how or why we took it does not make any difference, is that the decision of the Panel? I would like to have it at least for the Panel so we know what the decision is. How it came about, the reasoning that brought it about, the background, the historical references, and the literature upon which the decisions were predicated, all that is considered irrelevant.

9583 Mr. Paisley. The Act says—let's read it.

Mr. Marcantonio. We know what the Act says.

Mr. Paisley. The extent to which its views and policies do not deviate from those of foreign governments or foreign organizations. It doesn't say anything about whether the policy was good, bad or indifferent, or why each side arrived at their conclusions.

Mr. Lenvin. How they arrived at their conclusions—

Mr. Marcantonio. I know what the Government's contention is. That is all right with me. Frankly, I am very happy that they have taken their position because it reveals the complete absurdity of their position. But I want to know what the ruling of the Panel is.

Mr. Brown. It occurs to the Chair that the reply to respondent's question would be in the affirmative.

Mr. Marcantonio. In the affirmative, that it is irrelevant? In other words, how the respondent came about reaching certain decisions and taking certain public positions on various issues is irrelevant?

Mr. Brown. Yes, sir.

Mr. Marcantonio. Then we will ask our questions for the record, Mr. Chairman.

Mr. Abt. I do not think, formally on the record, that the Panel has ruled on the question.

Mr. Marcantonio. Yes, Mr. Lenvin objected—didn't you?

9584 Mr. Lenvin. Yes, I did.

Mr. Brown. Off the record.

(Discussion off the record.)

Mr. Brown. The objection is sustained.

By Mr. Abt:

Q. Is it not a fact, Professor, that any person who applied these Marxist concepts as to the cause and nature of wars, and as to the distinction between just and unjust wars, to the facts of this particular war would at that time independently have come to the same conclusion to which the Communist party came?

Mr. Lenvin. The same objection.

Mr. Brown. Sustained.

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9841 Q. Could not an unbiased, objective and informed American observer as of that time have come to the conclusion, on the basis of his own independent judgment of what was in the best interests of his country and its people, that the United States should not intervene in the Soviet-Finnish negotiations and should have supported Soviet position in those negotiations?

Mr. Lenvin: The same objection.

Mr. Brown: Sustained.

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9883 Q. Would it not be accurate to state, Professor, that there was a very large and broad measure of agreement among the people and many of the leaders of both the Soviet Union and the United States on the need for the prompt establishment of a second front in Europe?

Mr. Lenvin: Objection.

Mr. Brown: Sustained.

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9890 Q. Is it not a fact, Professor, that in June 1942, shortly after the appearance of the Dennis article, the United States, British and Soviet governments issued a communique announcing that complete agreement had been reached, and I quote, "With regard to the urgent task of the creation of a second front in Europe in 1942"?

Mr. Lenvin: Objection.

9891 Mr. Brown: Sustained.

By Mr. Abt:

Q. Was not that communique made after the visit of Mr. Molotov first to London, where he conferred with Mr. Churchill, and then to Washington, where he conferred with President Roosevelt?

Mr. Lenvin: The same objection.

Mr. Brown: Sustained.

By Mr. Abt:

Q. To be precise as to date, was not that communique issued on June 11, 1942?

Mr. Lenvin: The same objection.

Mr. Brown: Sustained.

By Mr. Abt:

Q. Would it not be accurate, therefore, to state that the Communist Party position on the second front paralleled the policy of the three allies, that is to say, the United States, Great Britain and the Soviet Union, as officially announced in this communique?

Mr. Lenvin: The same objection.

Mr. Brown: Sustained.

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9940 Q. On the basis of the evidence with reference to the Oatis case in this record, Professor, could any reasonable thinking human being come to any conclusion other than the conclusion that Oatis was guilty as he was charged of being, as he confessed to being, and as he was convicted of being?

Mr. Lenvin: I really ought to let him answer that question, but I object.

Mr. Brown: The objection is sustained.

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9981 **William Garfield Cummings** resumed the witness stand, and having been previously duly sworn, was examined and testified further as follows:

Direct Examination—cont'd.

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9982 Q. Did you attend different types of meetings? A. I did.

Q. Will you tell the Panel about these various types of meetings? A. I attended secret meetings, I attended the National Convention, I attended the State Conventions, I attended local conventions, secret conventions. I also attended the membership meetings that were

9983 held in the city of Toledo, Ohio, and I attended the CP trade union meetings.

Q. Were there any other types? A. I attended meetings where there was discussion held on the secrecy of the Communist organization.

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Q. Mr. Cummings, directing your attention to your previous testimony about meetings you attended in Cleveland, Ohio in 1948, how did you receive notice that a meeting was to be held in Cleveland? A. The way we received notice in Toledo that a meeting was going to be held in Cleveland was by courier. After we arrived in Cleveland to attend these particular meetings we would go to the Communist Party headquarters, and there

9984 we would be given—

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The Witness: We would arrive in Cleveland, Ohio and go to the Communist Party office and there Mrs. Helen Kirchmarek would give us directions as to just where the meeting was going to be held. That is the way we received the final instructions about where the meeting was to be.

By Mr. Nelson:

Q. Was this always the practice whenever a meeting was to be held in Cleveland? A. This was not always the practice. This started in 1948. At one time she could tell you orally where the meeting was going to be held, and later they didn't trust their officers in the Communist Party office and said we should write it on paper.

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Q. How long was this practice in effect? A. It started in 1948 and remained until I was out of the Communist oragnization in 1949, May 9, 1949.

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Q. What methods were used in the Communist Party in Lucas County to hold such meetings? A. Practically the same methods that were used on the state scale were used on the local county scale. Meetings were held in groups of one or two on street corners, in parks, et cetera.

9986 Q. Mr. Cummings, directing your attention to your previous testimony about your attendance at the National Midwest Communist Party training school in Chicago in December 1946, I believe it was—A. That is right.

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Q. What instructions if any were given you while you attended this school? A. Mrs. Caroline Drews gave instructions that we were not to use any of the mail boxes near the school for sending our mail, that we weren't to call our homes by telephone. We weren't to use our last names in classes. I think that is about all on secrecy.

Q. Mr. Cummings, you previously testified that you were a member of the State Committee of Ohio. How long were you a member of this committee? A. I was a member of the State Committee from 1944 until 1946.

9987 Q. Did you resign from the committee? A. I did not resign from the committee.

Q. Why were you not on the committee thereafter? A. For security reasons the committee was reduced.

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9988 Mr. Brown: What were the circumstances, Mr. Cummings, by which you were no longer a member of this committee?

The Witness: The circumstances were that there was a directive handed down from the National Committee of the Communist Party to reduce the size of all committees, and at the State Committee meeting in 1948 that is where the reduction took place. We were told by Gus Hall—We were read the directive from the National Committee by Mr. Gus Hall, who was Chairman of the Communist Party of the State of Ohio, and they said this committee must be reduced for security reasons.

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Q. Will you tell the Panel where and when this occurred? A. This was in, I believe July of 1948, and the meeting was held on Buckeye Road. I can't recall the exact adress of the hall, but it was the East Side Hungarian Hall and the number ran into five figures.

Q. You were present? A. I was present.

Q. Did Gus Hall state why these committees were being reduced? A. Oh, yes, he did. He said it was being 9989 reduced for security reasons, that a directive was handed down from the National Committee of the Communist Party that they should be reduced, that it was a "must."

Q. At the time that you yourself were a member of the State Committee how many members were on the State Committee? A. I will say there were about 42 members.

Q. Do you know what the Committee was reduced to? A. It was reduced to—I can't recall just what it was reduced to. I believe it was around 12 or 14, something like that.

Q. Speaking of the State Committee, were there any other committees reduced? A. The County Committee was also reduced. The County Executive Committee was also reduced. The State Executive Committee was also reduced.

Q. Were any reductions made in other organizations and units of the Party? A. The membership organizations were always reduced to not more than three or four members.

Q. At this time, in addition to being a member of the State Committee, were you in charge of any Communist unit or group? A. I was in charge of the Eighth Ward

Group, what we referred to as the Eighth Ward
9990 Group.

Q. Prior to this reduction in the State Committee how many members did you have in the Eight Ward Group or branch? A. Approximately 60, approximately 60.

Q. Prior to 1948 how did this group meet? A. They met in a group, in a group.

Q. The entire membership would meet in a group? A. That is right.

Q. After the reduction of the State Committee was anything done with this Eghth Ward Branch of which you were chairman? A. It was reduced to that they only met in groups of no more than two or three.

Q. Where did they meet? A. They met in various homes in the Eighth Ward.

Q. How was notice of these meetings given after the branch was reduced? A. After the reduction of the branches Mr. Joe Sokol would go around and tell these two or three members where there was going to be a meeting and what time they were supposed to be there, not to come two together, but one at a time, to go around to the back door, or something like that, until the three or four arrived at the particular meeting.

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9992 Q. Mr. Cummings, you described the secret meetings. What was the distinction between the secret meetings and the so-called open meetings? A. The secret meetings were meetings where only the Communist Party members were allowed to attend. The open meetings were more or less open mass meetings where Communist sympathizers and fellow travelers could attend.

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9993 What occurred at these secret meetings?

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The Witness: I will give you for example at the home of Charlie Clark, 2647 Mulberry Street, where Miss

9994 Elizabeth Gurley Flynn came in the city of Toledo. There was a special meeting. That is where the over-all secrecy of the Communist Party in Lucas County began. That is where she gave the instructions that the National Committee had instructed her to cover a certain part of the country and to inform the Communist leaders that they should not use the telephone for calling Communist members, that Communist documents and directives should not be sent through the mails, that you should not use the names of the Communists over the telephone, and that you should not carry lists of names of Communists on your person.

Mr. Marcantonio: When? We didn't get the time.

The Witness: That was about July of 1947, about July of 1947.

By Mr. Nelson:

Q. What was Miss Elizabeth Gurley Flynn's position in the Communist Party? A. At that time she was Chairman of the Women's Commission, I believe, at that particular time.

Q. The Women's Commission of the National Party? A. Of the National Party, that is right.

Q. Did the Club or branch carry out these instructions? A. Those instructions were carried out. That was in 1947.

9995 Q. Mr. Cummings, where did the Party have its offices in Toledo? A. Well, in 1949 the office was 501-1/2 Monroe Street. It was several different places. They moved around in Toledo there.

Q. You were frequently in the office? A. Oh, yes, I was frequently in the office.

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Q. In your position in the Party did you take any part in the running of the office? A. I did.

Q. Were you in any sense in charge of the office? A. I was in charge of the office.

Q. And the equipment there? A. And the equipment.

Q. Was all the Party office equipment maintained at the Party Office? A. Not in 1949, no.

Q. It was moved? A. Some of it was moved.

Q. Did you have any part in moving it? A. My car
9996 was used in the moving of the equipment.

Q. Did you have any part in discussions about moving this equipment? A. I did.

Q. Will you tell us what was said at these discussions?

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Q. Who did you have these discussions with? A. The discussions were led by Joe Sokol, who was Chairman of the Communist Party of Lucas County—

Q. And where? A. Just a moment. And Max Wall, Flo Wall, Regina Sokol, Charlie Clark, and myself were on this committee. The discussion was all between us, and the meetings were held, one meeting was held at the home of Max Wall, 147 Maumee Avenue, Toledo, Ohio. At this particular meeting Mr. Sokol said that he had received instructions or a directive from the Communist Party not to maintain the office equipment such as mimeograph machines in the office, that they should be stored in the homes of secret members where they could be used secretly.

At this meeting it was agreed that one of the ma-
9997 chines would be stored at the home of Curley Swan,
who worked at the Dana Corporation of the Spicer Manufacturing Company, and he was somewhat of a secret member. The other machine would be stored at the home of Charlie Clark, 2647 Mulberry Street, who also worked at the Dana Corporation of the Spicer Manufacturing Company. Curley Swan is what he was known by, but his name was John Swan.

Q. These discussions were with fellow members of the County Committee and led by the Chairman, Joe Sokol? A. That is right, fellow members of the County Committee.

Q. Did this take place after Elizabeth Gurley Flynn gave you these previous instructions? A. It did. It took place after they gave the instructions.

Mr. Forer: May we now get the date when this took place?

The Witness: I can't give you the exact date, but Elizabeth Gurley Flynn—it was in July of 1947 that Elizabeth Gurley Flynn came to Toledo, and I believe that this meeting took place on Wednesday following the Tuesday that she came to Toledo:

By Mr. Nelson:

Q. Having taken part in this discussion, did you take part in carrying out what was decided upon? A. I was the driver of the car that carried the machines.

9998 Q. Just where did you take the machines? A. From the office one machine was carried out to the home of Curley Swan, and the other was taken out to the home of Charlie Clark, 2647 Mulberry Street.

Q. Did you ever actually see these machines in these two homes? A. Not only did I see the machines in the two homes, but I have driven in the alley of both of these homes at night to help run off Communist literature on those machines.

Q. During this time the Communist Party had an official office in Toledo? A. 501-1/2 Monroe Street.

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10001 Q. Wait a minute, Mr. Cummings. You were asked if you were taught anything about what your duties as a member of the Communist Party of the United States would be in the event of a war between the United States and Russia? A. I was.

Q. Where were you taught this? A. At the Midwest Training School in Chicago, Illinois, in December of 1945.

Q. Who taught you this? A. George Siskind.

Q. What was his position? A. His position was National Educational Director of the Communist Party.

Q. What subjects did he teach in the school? A.
10002 He taught—I will have to refresh my memory.
There are so many subjects, if you are asking for all.

Q. We will particularize on the point we are on. What did he teach on the subject of what a Communist Party member should do in the event of a war between the United States and Russia, a member of the Communist Party of the United States? A. He taught—I think I will approach it this way—George Siskind said that around the turn of the century the capitalist forces of the world had reached a point where the only way that they could continue was to create a war. He said that the uneven development of Germany over the United States and England, that the United States and England had to start a war to regain some of the world's markets, because of uneven development that Germany had taken most of the world markets. He said that is what brought about the war, World War I. He said the same thing brought about World War II. He said that World War II was a capitalist war until the Soviet Union was attacked, and he said when the Soviet Union was attacked then it became a people's war. He said that the Communist forces throughout the world owed their allegiance and support to the Soviet Union. That is what he taught in regard to the Soviet Union, that the Communist Party throughout the world, not just in America, but throughout the world, owed their allegiance to the Soviet Union.

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10003 Mr. Brown: Did Mr. Siskind say that you people owed your allegiance to the Soviet Union rather than to the United States?

10004 The Witness: I believe I said—I was putting it in Mr. Siskind's words. Those are things that George Siskind said. That is what he said.

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Q. What did Mr. Siskind say about the United States Government as constituted at that time, if anything?

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Mr. Brown: I think it is a leading question.

Did Mr. Siskind teach anything else with regard to this specific subject matter?

The Witness: He taught that the American Government was an imperialist government. 10005

Mr. Brown: Is that all he taught—

The Witness: Oh, no.

Mr. Brown: —on this subject?

By Mr. Nelson:

Q. On this subject. A. He taught that the American Government was an imperialistic government, and the Communist Party was struggling to eliminate imperialism throughout the world.

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10025 Q. Mr. Cummings, directing your attention to your past testimony that you attended the State Convention of the Communist Party in Ohio in July 1948, who was the principal speaker at this convention? A. William Z. Foster.

Q. What was his position in the Party? A. He was Chairman of the Communist Party of the United States of America.

10026 Q. Can you tell us the substance of his remarks? Were you present at this convention? A. I was present at the convention.

Q. Can you tell us the substance of his remarks? A. He gave a very short report. The reason he gave a short report was on account of his physical condition. One of the statements that he made, he said that the Communist Party in the State of Ohio should be very careful in picking their leadership, that they should pick men that they could depend on in case of war between the Soviet Union and the United States.

Q. Mr. Cummings, were you ever present at any Communist Party meetings when the Universal Military Training Program of the United States was discussed? A. Several.

Q. Will you particularize on one meeting where it was held, who attended, their official status in the Party? A. I attended one such meeting in Lucas County. Joe Sokol, Mr. Joe Sokol, who was Chairman of the Communist Party of Lucas County at that time, led the discussion at this meeting. This meeting was held at 147 Maumee Avenue, at the home of Max and Flo Wall.

By Mr. DeNunzio:

Q. Give us the approximate date, if you can. A. The approximate date, about June, I believe, 1948. The attendance at this meeting were Joe Sokol, Regina
10027 Sokol, Max Wall, Flo Wall, Melvin Dahlmann, and Edwin Brooks.

By Mr. Nelson:

Q. What was the nature of the discussion? A. The nature of the discussion was the position of the Communist Party relative to UMT Universal Military Training, which is referred to as UMT.

Q. Were any decisions made? A. There were decisions made, yes.

Q. What was decided? A. It was decided that two youths would go out and picket the building or house of the four local draft boards of Lucas County. Two youths were chosen. They were Melvin Dahlmann and Edwin Brooks. They went out to picket it.

Q. What was the purpose of the picketing? A. The picketing was to try to stop the youths from registering for UMT, Universal Military Training.

Q. Was anything said as to why the Party didn't want the American youth to register? A. Joe Sokol made the statement that, he said, the Communist Party should do everything they could to keep the youth from registering for military training because the United States Army should be kept at as low an ebb as possible. He said the money should be spent to better the conditions of the working people of the United States instead of for UMT.

Q. Did these two men, Brooks and Dahlmann, 10028 actually do any picketing? A. They did.

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Q. What were you taught was the primary objectives of the Communist Party?

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10029 The Witness: We were taught that the primary objective of the Communist Party was to infiltrate trade union movements, Negro organizations, and any organization that we were able to get into and take control of, to eventually change the system of the American Government.

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10126 **Philip E. Mosely** resumed the witness stand, and having been previously duly sworn, was examined and testified further as follows:

Cross Examination—cont'd

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10148 Q. Professor, on the basis of your testimony with reference to Duclos and the assumptions which you would make and did make as to its authoritative character of any statement or speech or article by Duclos, wouldn't you have to say on the basis of the same reasoning that prior to 1940, at least, Browder, Foster, and Green, to use your words, appeared regularly as spokesmen for the international organization of the Communist Party? A. That would be a logical conclusion, but there is this factor which in practice is difficult to evaluate, and that is that at any given time the Executive Committee of the Communist International might prefer to introduce this or that new definition of policy through one person and not another.

Q. You would have no knowledge of that? A. No, I would have no knowledge of that.

Q. No knowledge of it whatsoever? A. No, I don't claim knowledge of that.

Q. It would be speculative on your part to make
10149 that statement, would it not? A. I merely say that
there is the general impression that some international Communist spokesmen were regarded as serving more often as a means of stating authoritatively an interpretation of policy of the Executive Committee.

Q. That is just a general impression, as you described it, right? A. Yes, based on the relative frequency with which this or that person might be the one to give the interpretation of the line. A person who occupied a high parliamentary position, for example, would be more impressive and effective means of communication for public purposes.

Q. You are just expressing your own judgment on this question now, aren't you? A. You asked me to express my judgment.

Q. No, I asked you whether your statement was based on a general impression, which is what you said it was based on. A. Well, based on a careful reading of the published materials and an attempt to try to see the pattern. For instance, members of the executive committee coming from countries where the Communist Party was either outlawed or underground would not have the same advantage of a rostrum with wide resonance as would, for example, a leading figure of the French Chamber.

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10153 Q. Then you said, after a long colloquy, at 4953:
"The second instance which I recall immediately and in detail, is that Monsieur Duclos inaugurated a very strong campaign of the French Communist Party against the Marshall Plan by his major speech at a large
10154 public gathering in Paris in August 1947."

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10155 Q. Would it not be correct, then, to say that in
making this speech Duclos—and I am now using the words you used on direct testimony—was acting as the spokesman of his own party, the Communist Party, in French public life, in making that speech? A. That is

correct in large part. In the case of a man of his eminence in the international movement it is difficult to separate the two. Since no contradictions have appeared publicly in the two roles it is hard to see how it is possible to separate one from the other. Only a little over a month later Monsieur Duclos attended the founding meeting of the Com- 10156 munist Information Bureau and again took an active part there in re-establishing a center of guidance to the International Communist movement.

Q. You say it is difficult to make that distinction? A. I think it is very hard to see just where you are going to draw the line when the two roles are intermingled in the same person and the line of thinking is identical.

Q. Didn't you make the distinction yourself, Professor, in your direct testimony? Look at transcript 4948, the bottom of the page. You refer to "A man"—that is Duclos, is it not? "who had served frequently as the spokesman of his own party in the French Chamber and in French public life and his public writings and who prior to 1943 and after 1947 appeared regularly as a spokesman for the International Organization of the Communist Party."

You made that distinction, did you not? A. I made the description rather than the distinction. In other words, the two roles seemed to be fused.

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10180 Q. Professor, I have here from the Library of Congress a volume consisting of the issues of Humanite from August 23, 1944, to December of 1945, and I myself have examined all of the issues in this volume for the month of March, and I have not found in any of those issues any reference to a visit by Duclos to Moscow during that period.

I would like to ask you, with the permission of the Panel, not to take time during the hearing itself here today, but during a recess of the hearing, to examine the issues of Humanite for the month of March so that you will be in a position to state whether or not your recollection is accurate and whether or not there is any news article or other story in Humanite for the month of March, 1945, indicating that Duclos during that month had been in Moscow.

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10187 Mr. Brown: Under the circumstances, I will ask Dr. Mosely if he will be kind enough to look through these issues of Humanite which appear in the bound volume which Mr. Abt has presented.

Mr. Lenvin: Before you do that, Mr. Chairman, I will tell you what. I will agree and we will stipulate to strike from the record his answer.

Mr. Brown: All right.

Mr. Marcantonio: Let's indicate where the answer appears on the record, so that there will be no misunderstanding.

Mr. Abt: Let me state it, if you will, and see if you agree.

It is now stipulated between counsel for the Petitioner and the Respondents that the following portions of 10188 the witness' testimony on direct-examination be stricken: They appear on page 4949 of the transcript, starting with lines 12 and 13, the testimony or language, "However, a few weeks before the article was published by Monsieur Duclos he returned to Paris from Moscow."

And then the entire colloquy which follows, between myself and Mr. LaFollette, will be stricken, which is lines 14, 15, 16, 17, 18, 19, and 20. And then the witness' answer, lines 21 and 22, as follows:

"From the French Communist newspaper, Humanite, of that time, March 1945."

Do you so stipulate, Mr. Lenvin?

Mr. Lenvin: Yes, I so stipulate.

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10302 Q. Now look at the second column, top of the page, 214-A, which is the Zhdanov report, "The International Situation," is it not? A. Yes.

Q. Does he not say with reference to the new democracies, in the last sentence of the first partial paragraph of the column, “As a result, the peoples of these countries have not only torn themselves from the clutches of imperialism, but are paving the way for entry onto the path of socialist development.”

He so states, does he not? A. Yes, he so states.

Q. Does he say they are paving the way for entry onto a new path of socialist development? A. He does not so state.

Q. Is there anything in this article that states that these people’s democracies are entering onto a new path of socialist development? A. The significance of this passage in Zhdanov’s speech was that he used the expression, “Are paving the way for entry onto the path of socialist
10303 development,” because over a period of some months it became clear from the developments as well as the resulting shifts in interpretation that this was a signal for the conclusion of the period of coalition rule in the people’s democracies.

Q. That it was what? A. That this was the signal for ending the period of coalition rule on the assumption that it would be permanent.

Q. I am sorry I can’t follow you. A. The coalition rule was based on the assumption that it would be permanent, because if you were a coalition only long enough to destroy the partners in the coalition, that is not exactly a conducive atmosphere to mutual confidence within the coalition. The Zhdanov speech and the Cominform founding meeting at which it was delivered thus come in retrospect to represent the speeding up of the process of establishing the monopoly of Communist power in these countries in order to strengthen their further integration into the Soviet sphere and also to speed up the development along lines similar to the Soviet system in political and economic respects. Thus you put your finger on the very passage which probably has most significance in this speech as far as concerns the evolution of the so called people’s democracies.

10304 Q. I may have put my finger on a significant passage, but you have not answered my question, which was, does Zhdanov in this passage or anywhere else in the report describe people's democracy as a new path to socialism. A. He describes them as paving the way for entry onto the path of socialist development.

Q. Yes, but he does not say that the path of people's democracies is a new path to socialism, does he? A. No, he is marking the abandonment of that slogan and the shift to emphasis on a single path to socialism, the Soviet path.

Q. Professor, you said just a moment ago that this report of Zhdanov's was the signal for the abandonment of the coalition form of government and for, as I understood you, to paraphrase you roughly, for the taking over of the governments by the Communist Party, isn't that right? A. Where it had not already occurred.

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10528 Q. Could not, Professor, an informed American observer, basing his opinion on what he believed to be the best interests of his country, reasonably come to to the independent conclusion that the Truman Doctrine and the Marshall Plan conflicted with the best interests of the United States?

Mr. Sheehan: Objection.

Mr. Brown: Sustained.

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10549 Q. Professor, could not an independent American observer, unbiased and objective observer, come to the conclusion in the spring of 1949 that the North Atlantic Pact was inimical to the peace and security of the American people for the reasons set forth in the editorial and in the statement of the National Committee?

Mr. Sheehan: Objection.

Mr. Brown: Sustained.

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10794 Q. Have you heard of Mr. Youngjeung Kim—
Mr. Lenvin: I object.
Mr. Marcantonio: Just a moment. —Youngjeung Kim, president of the Korean Affairs Institute in the United States.
Mr. Lenvin: I object.
Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. The Korean Affairs Institute is not a Communist organization, is it?
Mr. Lenvin: Same objection.
Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. In fact, it is known to be highly conservative?
10795 Mr. Lenvin: Objection.
Mr. Brown: Sustained.

By. Mr. Marcantonio:

Q. But did not Mr. Youngjeung Kim state in a letter published in the New York Times August 12, 1947, as follows: "In South Korea there is little law and order. The last election of the South Korea interim legislative assembly was carried out in such improper manner that even some of the officials were not aware that an election was being held."
Did he not so state?
Mr. Lenvin: Objection.
Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. And did he not state in a letter printed in the New York Herald Tribune, May 20, 1950, "It is a well known fact that the Government of South Korea maintains itself with military and police power."
Mr. Lenvin: Objection.
Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. Did not an article by Allen Raymond in the New York Herald Tribune, May 5, 1948, state, "South Korea is obviously in the hands of rightist groups bent on rule as arbitrary as that of Generalissimo Franco's Spain"?

Mr. Lenvin: Same objection.

10796 Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. Did not a dispatch by Walter Sullivan of the New York Times of March 6, 1950, state, "Large sections of South Korea are darkened today by a cloud of terror that is probably unparalleled in the world. It is universal shadowing the lives of police, peasants and guerillas alike."

Mr. Lenvin: Objection.

Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. Is it not true that on December 1, 1947, the New York Times reported that there were 10,000 political prisoners in South Korean jails?

Mr. Lenvin: Objection.

Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. And on September 6, 1949, the New York Times carried a report of the South Korean Home Ministry giving the prison population of South Korea as 36,000—16,000 more than capacity?

Mr. Lenvin: Objection.

Mr. Brown: Sustained.

By Mr. Marcantonio:

Q. Do not all these statements closely parallel the views of Mr. Clark and Mr. Malik in Exhibits 286 and 281?

Mr. Lenvin: Objection.

10797 Mr. Brown: Sustained.

By Mr. Marcantonio:

Does that prove or have any tendency to prove that the authors of these statements are dominated or controlled by the Soviet Union?

Mr. Lenvin: Same objection.

Mr. Brown: Sustained.

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10850 Q. It is a fact, is it not, that there was in this country and elsewhere almost universal welcoming of Mr. Malik's speech of June 23, 1951, opening a possibility of achieving peace in Korea, is that correct?

Mr. Lenvin: Objection.

10851 Mr. Brown: Sustained.

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10858 Q. In your opinion, could an informed American observer basing his views on what is the best interest of the American people reasonably and sincerely conclude, one, that Mr. Malik's proposal was a great service to the cause of peace and in the best interests of the American people as well as all of the people of the
10859 world; two, that the representatives of the American government attempted to frustrate Mr. Malik's proposal but were forced into truce negotiations by the overwhelming desire of the people; and three, that American representatives by provocative conduct and various pretexts attempted to cause the breakdown of armistice negotiations in Korea?

Mr. Lenvin: Objection.

Mr. Brown: Sustained.

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10870 Q. And in view of the parallel between the Malik proposal and the Johnson resolution, does this indicate in your mind and by your standards that the Communist Party of the United States dominates and controls the foreign policy of the Soviet Union?

Mr. Lenvin: What? I object to the question even though I don't understand it.

Mr. Brown: Sustained.

Miss McHale: Dissent.

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10871 Miss McHale: I would like an answer for this reason. It is a two way street, so to speak, and I
10872 would like to know the direction.

The Witness: I have been giving expert testimony on the basic analysis, point of view and policy recommendations of the Communist Party of the United States, and those contained in the foreign policy of the Soviet Government. I have not given expert testimony on what dominates what. I feel that the kind of evidence which has been presented as illustrations of the points of view is designed to show how each party of the two thought, analyzed and recommended. I have never testified that because one says "A" and the other says "A" at approximately the same time, and on the same general subject, that one is dictating to the other. If I gave an expert opinion on the issue of whether the Communist Party of the United States dominated, through favoring the position presented in the Johnson resolution, the Soviet Government, when the Soviet Government instructed Mr. Malik to make his speech of June 23, I would be claiming an expert knowledge of the system of communication between the Communist Party in the United States on the one hand, and the Soviet Government on the other, and I feel that I should remain within that sphere in which I have requested to give expert testimony.

By Mr. Marcantonio:

Q. So, therefore, you now state that it has not been your intention to testify as to domination where you
10873 show that one party takes the same position as another party on a given subject and approximately the same period, is that correct? A. My testimony has

been directed toward analyzing the basic line of thinking analysis and advocacy in the case of the Communist Party statements, and the statements of the Soviet Government.

Q. But as you said a moment ago, that it did not show domination of one over the other? A. No, I have not stated that. I have merely stated that as an expert, I would want to consider fully the question of whether I could and should properly as an expert give testimony on the question of communication between the Communist Party of the United States, and the Soviet Government. If I am placed under subpoena to give that kind of testimony, I will, of course, give it when it is convenient for the panel.

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11098 **Balmes Hidalgo** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

Mr. Brown: Take the stand, please.

Direct Examination

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11106 Q. Now, I would like to direct your attention to the spring of 1947. Was there any particular
11107 Marxist book which was being studied in the educational periods at that time? A. There was one book we were studying. It was "State and Revolution."

Q. "State and Revolution." By whom? A. Lenin.

Q. Do you remember any of the discussion periods that took place at this general period on that book? A. I remember one discussion that took place.

Q. Where did that discussion take place? A. It was at a meeting held at the apartment of Abner Levine.

Q. Do you recall where that apartment was located? A. It was located on West 81st Street, New York City.

Q. Who was Abner Levine? A. He was a member of the Executive Committee of the Tom Paine Club.

Q. Do you recall the main subject of that discussion? A. The main subject was a quotation from the book read by Betty, Executive of that Club, who was the Chairman of the Club reading the discussion. The replacement of the Bourgeois by the Proletarian—

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11109 Q. Will you tell us just what went on at the meeting in your own words?

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The Witness: She quoted from the book and said that the replacement of the bourgeois by the Proletariat could not be accomplished without violent revolution. She went further to say that we as Communists knew this to be the truth, but if we were accused of this we would say no we don't advocate this, we merely predict this.

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11110 The Witness: We were always instructed in the Party by all the executives and afterwards I in-
11111 structed never to give your last name, only your first name, a false one if need be. And never ask a person for his last name. Take his first name given to you at face value.

By Mr. Sheehan:

Q. After this discussion period, or rather during this discussion period, who was the highest officer in the Thomas Jefferson section at this time? A. The section organizer of that Thomas Jefferson section, who at this time was a man named Julie.

Q. Did Julie have a last name? A. At the time I did not know it.

Q. Did you ever find out what it was? A. I found out that at times he was known as Julie Katz, and other times he was known as Julie O'Donnell.

Q. Did Julie address any meeting at which you were present? A. Yes, he attended that same meeting at which this discussion took place.

Q. And what did he say at that meeting to the best of your recollection? A. He told us that he had been sent into

that section because there was entirely too much looseness in that section, there was a leak somewhere, and he didn't want to see or hear anyone using a person's last name in any communications, not to use the telephone at
11112 all, and if there was no other way of communica-
tion and the telephone had to be used, to make it as brief and short as possible, and after a time to try to get away from using even first names, to try and use the numbers of the Party cards.

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Q. You said that this man Julie told you why he had been sent into the section. A. Yes.

Q. When was he sent into the section? A. That was his first meeting when he told us that.

Q. What was the next meeting after this that you recall? A. I recall having attended a Party Congress later
11113 on that year at the City Center, I believe it was, in
New York City, New York.

Q. Can you tell us approximately when that was? A. In the spring of '47, about June of 1947, I would say.

Q. Do you recall any of the speakers at this meeting? A. Yes, I recall them.

Q. Whom do you recall? A. I recall Bob Thompson. At the time he was State Chairman of the Communist Party of the State of New York.

Q. Will you tell the panel briefly what Mr. Thompson had to say at this meeting? A. He spoke, one of the things he said was that the world was divided into two parts, on one side we had the imperialistic nations and on the other side, as he put it, we had the truly democratic countries of the world, Hungary, Poland, Yugoslavia, all led by the USSR.

Q. After you attended the Party Congress, did you thereafter attend any meetings of the club? A. Yes.

Q. And what club was that now? A. The Charles Krumbein Club, originally Club No. 2. It had now been given a name, Charles Krumbein.

Q. I would like to direct your attention to November
of 1947. At that time, did you have a membership
11114 card in the Communist Party? A. In November
1947, yes, I had a card in the Party.

Q. What happened to your membership card? A. I gave that card to my club membership director. Do you want me to name her?

Q. Yes. A. Ann Greenfield.

Q. And at what time was that you gave her your card? A. In November of that year.

Q. Do you recall where it was that you turned over your card to Ann Greenfield? A. It was at a meeting held at the apartment of Georgette Taggart.

Q. Did you have a conversation with Ann Greenfield at this time? A. Yes, she took me aside and told me that I would have to hand in my own card, that it was a directive from a high group. She would give me a new card with a new number, and suggested that I put an entirely different name on this new card.

Q. Did you put another name on that card? A. Yes, I did.

Q. What name did you use? A. Bernard Harris.

Q. I direct your attention to the early part of
11115 1948. Do you recall any changes in the administration of your section around that period? A. Yes,
I recall one change.

Q. Will you tell the Panel briefly how you learned of this change? A. The section organizer at that time was a man by the name of Morty Kamen. He called me aside and told me that from there on any names, addresses and phone numbers in my roster, I at the time was section press director, would have to be kept in a different manner. He told me to keep them in some sort of code, using numbers and symbols so if that book were to fall into the hands of any unauthorized persons the identity of those members would be a secret. It would not be disclosed.

Q. Did he tell you that this method— A. He told me. He suggested the method, and he told me this was the method being used by the regional directors, region of the Upper West Side—

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11116 Q. Did he tell you why it was so important that the identities were not revealed? A. In case of the Party going underground.

Q. Did he say anything at a later date about how members were to go about concealing their identity—

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11117 The Witness: I was told to immediately just give our name and address and ask for a lawyer, talk to the Civil Rights Congress, refuse to let ourselves or our houses be entered or searched without a search warrant, refuse to be arrested without a warrant, and to refuse to give any names and addresses of any other persons, and to refuse to admit to being a member of the Communist Party.

By Mr. Sheehan:

Q. Where and when did he tell you these things? A. He told us at a meeting held at the section headquarters at 72nd Street in New York City.

Mr. Abt: May we have the date, Mr. Chairman?

Mr. Brown: Do you recall the date, Mr. Hidalgo?

The Witness: The date was in July. Associat-
11118 ing it with other things, I would say it was July 22.

Mr. Brown: What year?

The Witness: 1947.

Mr. Brown: Very well.

By Mr. Sheehan:

Q. About how many members attended this meeting, do you recall? A. No, I don't recall exactly the number. They were composed of delegates of every club in the section. It was a section conference. Not a conference, but a convention.

Q. Do you recall Mr. Kamen speaking to a section at a later date?

(No response.)

Q. If you don't recall— A. Not at the moment, I don't.

Q. I won't belabor the point. You previously testified that you were a member of the Charles Krumbein Club of the Thomas Jefferson section. Was that club divided up into any groups or other divisions? A. Yes, it was.

Q. Will you tell the Panel briefly what they were? A. It was composed of several groups, approximately five or six groups, each approximately of five, six or seven members. Each group was in charge of a group cap-
11119 tain. The captains were in the main the executives of that club, the club organizer, the club press director, the club membership director, and so forth.

Q. Did anybody tell you what was the purpose of the club being broken up into these groups?

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The Witness: We were told the purpose of it was again if we went underground, it would be a lot easier for one person to contact five others. He would only have to remember five names and addresses. He would not have to carry any list.

By Mr. Sheehan:

Q. Who told you this and when was it? A. The speaker was Rita Stevens.

Q. And where did she tell you? A. It was at a meeting of one of the club meetings.

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11120 Q. What position did Rita Stevens hold in the Communist Party, if any? A. She was a member of the executive of that club. She was a club membership director.

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11121 Q. Do you recall anything further being said at this meeting regarding this subject of going
11122 underground, to use the term that was used there? A. In the case of the Party going underground, we were told that it would be so much easier if all the functioning of the Party was done through a group system, somewhat like she had mentioned, the five persons being contacted, say, by the club organizer, and all the club organizers being contacted by one member of the section, five or six members of the section being contacted by one member of the county. In that case the most that any one person would know would be the names and addresses of five persons, and he refused to tell them if he had been instructed to do so—

Q. Did someone other than Rita Stevens speak at this meeting on that subject? A. Yes. That last statement was told to us by Mortie Kamen, rather by the membership director of the section, Nell Greenfield, who was also at that particular meeting.

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11124 Q. Will you tell us what you were taught in your classes? You told us you attended school. Will you tell us what you were taught during your classes about the objectives of the Party?

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The Witness: The objectives of the Party were to fight for socialism here in this country.

By Mr. Sheehan:

Q. By what means was that to be done?

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11126 The Witness: We were taught to use any means possible, but as we were taught by their own textbooks, the only method could be by force and violence. That was the only method taught to us as being a possibility.

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11149 **John Lautner** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

Direct Examination

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11157 Q. Who operated the school to which you have just referred? A. The National Hungarian Bureau.

Q. Who were the instructors in this school? A. Bebrits, James Lusztig, John Szanto, Louis Weinstock,
11158 Antonio Wexler, and Louis Engdahl, E-n-g-d-h-a-l.

Q. It is d-a-h-l, isn't it? A. Engdahl, yes.

Q. Did John Gyetvai teach there? A. Yes, Dr. John Gyetvai. Joseph Feher.

Q. What languages were used in the school? A. Both Hungarian and English.

Q. Can you tell the Panel what courses these men taught? A. Lusztig taught Marxism-Leninism. Szanto had a course on the decisions of the Sixth World Congress of the Communist International and strategy and tactics. Louis Bebrits taught the Communist Manifesto, and he had a special course on labor journalism. J. Peters taught political economy. Antonio Wexler the Paris Commune. J. Feher, sick and death benefits, administration of the Hungarian Working Men's Benevolent Association. Gus Majer taught present tasks of the Communist Party in relation to the tasks of the Hungarian Bureau of the Communist Party. J. Louis Engdahl gave a series of three lectures on Party policies.

Q. What did Weinstock teach? A. Weinstock taught the history of the Soviet Union, the Bolshevik Party, and the October revolution.

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11165 Q. Did the Communist Party policy in trade union matters undergo a change about this time?

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The Witness: That change came about in 1933 and '34, and that change came as a result of lessons that the Communist Party as a whole had to draw when Hitler came to power in Germany.

Q. What was the policy of the Party at this time, 1930? A. At this time it was to build a red revolutionary trade union movement under the leadership of the Profintern.

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11192 Q. What significance did you as a section organizer attach to the remarks of Edwards in this particular meeting?

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11193 A. Well, the fact that he was already known to us as the representative of the Communist International, we were very attentive to what he had to say, and what he did say was taken as, well, he should know, he is the representative, and what he says is the Party line. There was no questioning of Edwards' judgment.

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Q. Do you recall any other meeting, Mr. Lautner, during this period when Edwards or Eisler was present? A. Yes. In 1935, just before they opened Camp Unity, the staff was not there yet, we were called to a meeting to Camp Unity by the District leadership. It could have been the latter part of May or the early part of June, and Eisler or Edwards was present at that meeting, too. This meeting was called by the New York District leadership with the section organizers of New York.

Q. Did he have anything to say? A. Yes. The report at that meeting was given by J. Peters. The report was about the need and necessity on the part of the Party to concentrate on National Guard work at that time, to pay attention to the weekly drills in the National Guard
11194 armories. The District told us in the report—the report was given by J. Peters, who was a member of the National Commission at that time—and he projected

a two pronged approach to this concentration work. One, to make a survey of all Party members who are members of the National Board, and to build Party units within the armories within the Guard, and then in each section where their is an armory to assemble or to organize a concentration unit that will work from the outside on Guard nights, on drill nights, to distribute leaflets in front of the armory and to socialize and get acquainted with Guardsmen. That was the idea that Peters conveyed in this report.

Edwards was present at that meeting at that time.

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11196 Q. When was the last time you saw this man? A. The last time I saw Eisler was shortly before he left on the Batary for Germany. On a number of occasions I once saw him one morning at the Party building at 35 East 12th Street early in the morning, about 9:30. He was looking for somebody on the third floor. I saw him at a banquet once held in New York, the Smorgasbord place on 54th or 55th and Broadway, where Eisler was one of the speakers alongside a number of other Party leaders and other prominent speakers.

Q. Will you fix the time of these two instances? One time you say you saw him in the Party Building, and then the second time was at a banquet. Will you fix the time as nearly as you can?

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The Witness: I don't know the exact day, but I can fix the time. It was about two or three weeks after he came out of Ellis Island.

By Mr. Paisley:

11197 Q. Approximately what year? Fix the year. A. '48-'49; '48, I think.

Q. You mean he had been arrested for deportation and was being held on Ellis Island. Is that what you mean? A. Yes.

Q. When did he leave on the Batary?

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The Witness: I think it was the spring of 1949.

By Mr. Paisley:

Q. How did you learn that Eisler and Edwards were the same person, do you recall?

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The Witness: I ought to know. I know the person. I saw him in the Thirties. I took part in meetings 11198 with him, and the same person turns out to be Eisler.

By Mr. Paisley:

Q. I was just asking when you first learned it, if you remember. A. When I first saw him. I didn't know who Eisler was. I didn't know Eisler was identical with Edwards until I saw him.

Q. You had a lot in the papers. A. I knew Eisler after the war, after the Second World War. I didn't know that this Eisler was identical with Edwards. I knew that Edwards was here in the early Thirties. I knew Edwards went to Spain. I didn't know that in the late Forties this same person turns out to be Eisler.

Q. I was just wondering when you first learned it. A. When I first saw him after the War, and that was when he came out of Ellis Island. I didn't see him before that.

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11207 Q. When you left the National Headquarters in New York, did you have any understanding with any of the leaders as to how you should communicate with them on Party affairs? A. Yes, I had a number of addresses to communicate. I remember the normal letters were sent to Box 92, Station D. We had an address in the Bronx where we sent letters, where we discussed problems, district problems pertaining to personnel and concentration work and application of policies in the coal industry. We used to send it to this Bronx address. And then there were plenums twice a year, organized by the National Committee of the Party, to which plenums I came.

Before I went to West Virginia in the organizational department, they gave me a code that I could use if the situation will arise. It was a very simple code based on two books. I had a copy and Peters had one in the National Office. And I was to use the number system with these books as to line and letters on pages.

Q. Did you talk to Peters about it? A. He told me that I should take it along with me, but I never had occasion to use that. I even asked him, "Why do I need this?" He said, "Well, the other districts have it, so you might as well have it." But I never had occasion to use it.

11208 Q. What was his position at that time? A. He was a member of the organizational department of the National Office at that time.

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11209 Q. Were you in West Virginia, Mr. Lautner, when the Hitler-Stalin Pact was first publicized? A. Yes.

Q. And were you then the district organizer? A. Yes.

Q. Were you called upon by the membership to explain that pact?

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The Witness: Yes.

By Mr. Paisley:

Q. Just how did you explain it?

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The Witness: The Hitler-Stalin Non-Aggression Pact and Commercial Treaty, when it was signed, the explanation was that this was a technical move to forestall the efforts of the Chamberlain-Deladier government to
11210 bring about a situation where Hitler will attack the Soviet Union at that time. There was a Munich

Pact concluded by Chamberlain and Deladier and Mussolini and Hitler, and it was consistent with the policies of the Soviet Union at that time as enunciated by Litvinov in the League of Nations that the Soviet Union was ready to conclude a non-aggression pact with any nation that is willing to conclude such a pact. So this was the jist of the explanation, that it was a technical move to forestall a situation bringing about an alliance on the attack against the Soviet Union. Stalin made a famous statement that the Soviet Union will not pull out the chesnuts for anybody out of the fire, or anybody's chesnuts out of the fire.

By Mr. Paisley:

Q. Did this pact come as a surprise to you? A. It did.

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11211 The Witness: It was not an emotional surprise. It was a political surprise. It was a political surprise in this respect: For years the Communist Party endeavored to build an anti-fascist alliance and anti-fascist unity and here comes a pact out of the blue sky running against this whole effort for years, a pact is concluded with the Nazi regime. So this was the political surprise, not the emotional surprise.

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Q. What was the reaction of your Party membership in West Virginia on the reversal? 11212

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The Witness: First of all the reaction was as follows: The Daily Worker for days had nothing to say. It had nothing to say. I myself didn't believe it at first. I thought it was just another headline sensationalism or something of that sort. But when it was verified that such treaty was concluded, that such alliance was concluded, the explanation was that this was a counter move to the Munich Pact.

By Mr. Paisley:

Q. During that period when the Daily Worker was silent, did your Party members interrogate you on the subject? A. I was asked a lot of questions and I told them let us wait to see what the Daily Worker has to say. We hear this on the radio and we read it in the paper, and we will see what the Daily Worker will have to say on this. Some were disgusted. I know when I came into New York shortly thereafter, some of the Party leaders disagreed with this pact, and they left the Party. One of them was the business manager of the Daily Worker, Wishnak, who said he will never endorse or cooperate or work in that kind of a movement that can conclude an alliance with Hitler. That was the business manager of the Daily Worker.

11213 There were some others who disagreed and they also drifted out of the Party. It was a jolt as far as the Party is concerned, and a lot of people did leave the Party at that time. I remember at the National Committee meeting after that when a report was given on Party building, that fact was registered, that the Hitler-Stalin Pact made a dent in the numerical strength of the Party membership.

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11224 The Witness: I came to New York to the special convention in November.

By Mr. Paisley:

Q. Were you a delegate to the convention? A. Yes.

Q. What was the purpose of this special convention? A. This special convention of the Party was called to meet a specific problem that arose, that is, an act was passed in Congress known as the—

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11225 The Witness: —the Voorhis Foreign Agent Registration Act. This convention was to meet that problem, to disaffiliate from the Communist International, which was a move of expediency to get from under this Act.

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The Witness: The purpose of this meeting was stated by Earl Browder, who was the Secretary of the 11226 Party at that time.

By Mr. Paisley:

Q. Did the Party disaffiliate from the Communist International? A. Yes, with this emphasis: That that disaffiliation from the Communist International in no way will affect our attitude, that is the Party's attitude, on the question of proletarian internationalism, and with that understanding the Party disaffiliated from the Communist International.

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11240 Q. What length of time was required to complete this schooling? A. The National Training School in 1941 got together at the beginning of February and it lasted all the way to May 1.

Q. In New York City? A. In New York City.

Q. Where was it conducted? A. This school was not conducted in any specific place. It was held in 11241 homes, in various parts of the city, in organized places that were pre-arranged for sessions from day to day. It never met at the same place more than once or twice.

Q. Was it a full time activity? A. Yes.

Q. Approximately what hours did you attend? A. We had a session usually in the morning, a school session with all the students, with all seven students and an instructor. Then we were broken up into two groups. Then we had group study in the afternoon. Then we also had assignments to write papers on various assigned topics and subjects. I would say from 12 to 14 or 15 hours per day went into study at the National Training School.

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11295 Well, after that party I took sick. I had the grippe and I stayed home for about a week . . . When I got up I went out for a walk before I went into the office downstairs, and I saw two people hanging around my house. One of them was John L. Spivack and the other one was the sister-in-law of Abe Isserman.

Q. Who was he? A. John L. Spivack and the sister-in-law of Abe Isserman.

Q. Is that the lawyer Isserman? A. Yes. So I was quite surprised, what should John L. Spivack be doing in this neighborhood.

Q. Who was Spivack? A. Spivack was in charge of security for the legal office at Canal Street for the Party during the trial.

Q. The trial of the eleven? A. The trial of the eleven. John said, Where could I get some films for some 11296 kind of camera he had, around here? I lived on 22nd Street and Seventh Avenue at that time and there was no film place nearby around there for the type of film that he wanted. That was another incident.

Before I went down to the office I went up to 42nd Street and bought some of these pamphlets, and I went down to the office. About a half hour later Jack Kling came into my office.

Q. What was his position? A. He was treasurer of the Communist Party. That was the time I showed him this pamphlet, what Browder said about international relationships and whether he was responsible solely for the Party line projected by Browder. He told me that the national office will ask the state office to release me to go to the Midwest and accelerate preparations in the Midwest for the same type of work that I was doing in New York, in other words, preparations to take the Party underground.

I told him, I don't know. I wouldn't leave New York. He said, "You would work out of New York, but you will spend some time in the Midwest and work with people there who are carrying on the work out there. You have a lot of experience here in New York, and I think we will benefit by that down there."

So we went in to see Bill Norman. Bob wasn't
11297 around. Bill Norman and Hal Simon agreed that
I should be released and work for the national office.

The next day—this was on a Thursday, the 12th of January—

Q. The exact date I don't presume is of importance. A. Jack said that I should go to Cleveland and meet him there on Saturday at one o'clock at the Union Station. That day, Friday, all day long I had a meeting with Hal Simon, with one of the members of the state secretariat. I gave them a full report on the status of the preparations to take the Party underground in New York State, a detailed report, and that was how I spent that day. That same evening I took a train out of New York and arrived in Cleveland Saturday morning. As per agreement with Jack Kling, I checked into the Cleveland Hotel and I was waiting for one o'clock to come around. I went down to the Union Station and I met him around the information center at Union Station in Cleveland.

Q. Was that by pre-arrangement? A. Yes. He told me to check in at the Cleveland Hotel. We had lunch together, and then we took in a show. I think we went to the Hippodrome on Euclid Avenue. He told me that we had to stall for time because the person we were to meet was not available until six o'clock, that he was out of town.

11298 After the show we ate some more and then we
walked down to Sinclair Avenue, which is the closest avenue in Cleveland running parallel with the Lake, east. We went out to 95th Street. We got there about 5:30. We still had about half an hour or so. We were walking around. Around six o'clock a car came along, and we got into that car. By that time it was dark. We rode on that boulevard belt from Sinclair Avenue

crossing Superior and Euclid, Woodland, Buckeye, to Kinsman Road. We came down on Kinsman Road, and around the seventies we took a bridge down into that section in the hole known in Cleveland as Kingsbury Run. We were circling around blocks over there and then we went into a house. I was going ahead and Jack was behind me and the driver was behind Jack. Jack told me to go down in the cellar. I was going down in the cellar, and as I looked down there were two persons there playing a card game on a small table. I looked back and Jack wasn't around behind me. He stayed upstairs. These two characters told me to undress. I was puzzled. I didn't know what was happening over here. I looked back and I called for Jack and Jack didn't answer. They were husky guys. I saw on a pile of wood over there long rubber hoses. There were knives. Both of them had guns. I was stripped stark naked. Even my socks were taken off. They went through my clothing. They were searching even in the seams. What they
11299 were looking for I don't know. In my folder they found a few names, and one of them made the remark, "You are a hell of a security officer in the Party going out of town and carrying Party names on you." They were not important names. They were personal friends and personal addresses.

By that time Jack came down with this driver, and following him were Solly Welman from Detroit, a Party leader in Detroit, and Joseph Brand, the Party leader from Ohio.

Q. Had you known those two before? A. I had known them for years. Solly Welman was on the original national review commission and secretary of the original national review commission that was established in 1945 after the reconstitution convention.

I asked them, what is this. I was puzzled. I didn't know what would happen. "You will find out." Then the most abusive and foul language that I have ever heard in the Communist Party. I was called everything under the sun, a traitor, a spy, a stoolpigeon. I was crying. I said, "A terrible mistake is being made and let's calm down and let's discuss this thing." I was just abused. They wouldn't even listen to me. They had two gadgets there. One was a recording machine, a wire recording machine, and the other one was supposed to be a lie detector. It was a gray little machine with a wire attached, with a ball on the end, and a strip that was 11300 fastened to my forearm. I was supposed to hold my hand on the table over there. On the other side of that gadget it was supposed to indicate whether I was telling the truth or not. This chauffeur was the expert on this lie detector.

I was asked, since when was I an agent of the CIA, the Counter Intelligence Agency. I told them I was not an agent of any government organization, that they had to show proof to me that I was. They asked me what was my relationship with Noel & Herman Field, the Field brothers.

Q. Who is Noel, now? A. I don't know who they are. All I know is what I read in the papers, that they disappeared behind the Iron Curtain, that one of them was supposed to be a close friend of—

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The Witness: They asked me who did I talk to about the preparations to go underground. I told them that I had an all-day meeting with Hal Simon. I had to go into details of the content of that meeting that I had with Hal Simon. That took almost an hour and a half or two hours.

By Mr. Paisley:

9303 Q. Had you been informing any of the government agencies on the Communist Party? A. No. While I was a member of the Communist Party never was I in contact with anybody, any government agency whatever.

Q. Go ahead. A. They asked me who knows that I was in Cleveland. I told them that a friend of mine in New York does know. I told them that I wrote a letter to my mother, to Youngstown, Ohio, that I would be in Cleveland and I would be over Sunday afternoon in Youngstown, Ohio to see them. I saw the predicament I was in, and I also told them that I left Jack Kling's name at the hotel desk in case we don't meet each other at Union Station, and if he inquired about me, I would be back in an hour. I didn't leave his name at the hotel desk, but seeing the predicament I was in, I injected that.

Immediately they went upstairs. Joe Brand and Welman and Kling went upstairs. They had a conference for about five or ten minutes, and then they came down. Prior to that I was threatened time and time again that if I don't come clean I will never leave that place. There was a spigot on the side of the basement wall there, and the water was running full blast. There was always trouble with the mike because what I was saying wasn't audible
11302 enough. They were replaying it and checking it and testing it. There was another guy behind my back with a gun and he was nudging me to get closer to that loud speaker, to talk louder into that recording machine.

When they came down from upstairs the situation changed immediately. I was told to look down and keep my head down, not to look sideways or any ways, not to look back of me and not to look at the fellows that were behind me. One fellow was hitting the wall all the time with one of these rubber hoses. That also created noise over there that interfered with the recording machine.

Then I was told to sign a statement. The statement was dictated by Jack Kling. They gave me a piece of paper and pencil. The statement said the following, that I, John Lautner, was accused of being a spy and an agent in the ranks of the Communist Party, and that I had a fair hearing, and I was supposed to write that and sign it.

The gun was behind my neck. I did sign such statement.

Q. You say you did? A. I did. Joe Brand got the bright idea that that was in pencil and they had better have it in ink. So I wrote the same statement over again in ink.

Then they packed up their paraphernalia and Jack Kling told me that this hearing will continue, that there 11303 are some phases of it that are not clear to them yet, and I was supposed to meet them the next day, Sunday, across from the May Company on Euclid Avenue in a small restaurant, the Mayfair Restaurant. Then they left. They packed up their paraphernalia and left the place. I was left there with the chauffeur of the car and the two other persons who were in the basement when I got there. They gave me back my clothing piece by piece. I begged them, I cried out, I was freezing there in that basement, and they wouldn't give me my clothing back until I was ready to be taken out of there. They gave me back my clothing. Some of my papers were taken away from me. I had that reply from the State Department on me, my passport application. They took that away from me. For the first time in my life I was quite surprised that even money was taken out of my purse, about $15 were taken out of my purse. I had a pair of gloves that was also not given back to me. Then they pulled my hat down. I was told to keep my head down. I was taken out by the two fellows on their arms into a car, and then driving around about 12 minutes to 15 minutes or so, I remember going across the wooden bridge, I was dumped out at a factory site under a bright light. I was walking along that factory. I was told to go to the end of the factory, and there was a bus stop that would take me downtown to Cleveland.

11304 When they let me out of the car I was afraid that they would shoot me while I was walking away, and I was practically running. I was running. I took a bus. I went downtown. I went up to my hotel room. I was in a daze. I didn't know what had happened. I hoped that this was a way of testing me or something like that because I knew that I was never in contact with any government agency before.

Well, I took the train—first of all, I went there at eleven o'clock in the morning to the appointed place. It was raining Sunday morning, and they didn't show up. They didn't show up. I waited there for about an hour and a half.

Q. Did Kling stay at the same hotel? A. I don't know where he stayed.

So I took the train and went to Youngstown, Ohio. The next day I took a train and I came back to New York. I picked up the Daily Worker, and there was my expulsion notice with my picture in it. I was charged with trying to protect Angela Calomiris from being expelled from the Communist Party. Angela Calomiris was one of the persons who testified against the 11 in the New York trials.

Q. You mean this was in the Daily Worker? A. Yes. I was further charged that I recommended irresponsible and unreliable persons to work in the defense office. 11305

Q. What defense office? A. In the defense office of the Party that was set up at Broadway and Canal Street during the trial of the eleven.

At the caption of my expulsion there was in bold, large type letters, "Traitor," above my picture.

Q. Did they accuse you of these things out in Cleveland when they were giving you this trial or whatever you want to call it? A. I beg your pardon?

Q. Did they accuse you of these things out there in Cleveland? A. I was not accused. I was branded. I was not charged. I was just branded outright that I am an enemy agent, period. That was the so-called hearing I was supposed to have in that cellar in Cleveland which that expulsion notice referred to, that a special committee was set up by the Party to investigate and give me a hearing. That was the hearing.

Q. You got no other hearing? A. No. I wrote a letter a few days later to Trachtenberg, who was Chairman of the National Review Commission. I told him in that letter that a terrible mistake was made in my behalf. 11306 The mistake is made, but I want a hearing. I never got a reply to that letter. My brother took that letter up to his office. It was given to him. I never got a reply to that letter.

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11307 Q. Incidentally, when did you go to the FBI? A. Well, after my expulsion I had some personal problems because of it. I went to stay with my brother. My brother was living at Washington Heights. I stayed with my brother there. Well, I said to reevaluate my whole life in the light of my experience, I had to come to certain conclusions. On the basis of that, finally in 1950, September, toward the end of the month of September, I wrote to the Department of Justice.

Q. September of what year? A. 1950. I told them who I was, and I told them that I am willing to give my full effort, my knowledge about this movement to the services of the Department of Justice. Shortly after that I was contacted by the Federal Bureau of Investigation.

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11326 Q. Were you given any assignment in the Party, Mr. Lautner, in 1946 or 1947 in reorganization work? A. Yes.

Q. Tell the Board what assignment you were given, who gave it to you, and what your duties were. A. After the reconstitution of the Communist Party, the convention as such reaffirmed itself to go back to the Party of a new type based on the prinicples of Marxism-Leninism. This was done in the convention in the form of resolutions, and those resolutions were later elaborated. There were articles written about it, reports given on how to interpret these resolutions in terms of organization, because right after the reconstitution in 1945 the organization as such was intact. There was an election of a new National Committee. After the convention there was a first step in the reorganization. The breaking up in New York County of the large clubs, community clubs, which were the only form of Party lower organization at that time.

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11328 The Witness: So these large clubs were broken up into smaller organizations. New sections were established all over New York County, with which I was familiar. The clubs were streamlined. They were known as branches from there on. There was a survey made throughout the Party to seek out those Party members who were employed in industries of various types and industrial sections of the Party were established under the leadership of the New York County leadership. Such industrial sections were in furniture, needle trades, on the waterfront, longshore section, cement section, teamsters section, UE section, industrial section of the Communist
11329 Party, machinist section, AFL general industrial section, which included bakers and similar industries that are organized in the American Federation of Labor, building trades section of the Communist Party, New York County, professional sections of various types—those that were in government service, one section, those that were in civil service another section—a section was in the making for the teachers as a special section for teachers in New York County, a special division was created under the hegemony and leadership of the New York State organization known as the Cultural Division of the Party, railroad concentration section was established, and some other sections in which Party members belonging to these various industries were drafted from the various community clubs to which they belonged in the Political Association days, and soon after the Party was reconstituted in 1945.

By Mr. Paisley:

Q. Was there a commission created to supervise that work? A. The next step was a commission was created to work out for New York County a concentration plan based on this first step that was made. The main concentration task for New York County was transport. That entailed the waterfront, cement, longshoremen, teamsters, railroad and American Railway Express.

11330 Q. Who were on this commission? A. On this commission was Tim Tormey, the Executive Secretary of New York County, myself, Lenny Levinson, Louis Sass, and when I left the building trades section to go to Chelsea, Ralph Glick was put in my place on this special commission to reorganize the Party in New York County.

Q. Was that type of reorganization confined to New York County or was it nationwide? A. As far as I am concerned, I was on this commission in New York County, and this plan was initiated by the Party resolutions after the reconstitution of the 1945 convention specifically by John Williamson in one of his reports on concentration work.

Q. Who assigned you to the commission? A. I was assigned by George Blake, New York County Chairman, to work on this Commission for New York County.

Q. How were Communist Party membership records maintained at that time? A. In 1946-47 there were no name records kept in the Communist Party on any level except names of committee members who were known as Communist Party leaders. No branch records as far as names were concerned. However, we had in the Party a yearly registration period where when a Party member
11331 was registered for the following year, there were
certain statistics given about the individual, but no name indicated. Just male or female, what industry the person is pursuing, where he is working, what organizations does the person belong to, and what race does the person belong to, white or Negro, and similar general statistics.

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The Witness: These statistics were then compiled and only figures were released that so many Party members registered, there is so much more to be registered, the composition of the Party membership is as follows. These were the records kept.

Then besides that there were records kept about the press, the Daily Worker, on branch level, how many Daily Workers the branch distributes, how many subscribers the branch had or got in a drive or campaign, records of that type, but no name records whatever.

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11337 Q. Now, Mr. Lautner, you were testifying about how the records were kept after the reconstitution of the Party. I am now confining myself to that period after 1945. Were any records kept of the names of the individuals attending Party meetings? A. No, no names were kept on individual Party members or by Party members.

Q. Were any records kept of the number of persons attending meetings? A. In some instances there might have been a list. I will give you an example. If a national plenum or a convention was called, there was a master list of those that were invited as delegates to the convention, those that were invited as alertnate delegates to the convention, and those that were invited as fraternal delegates to the convention.

Q. I am talking about the unit or section meetings. A. No, no lists were kept whatever. Even the unit, the branch, the lowest organization was broken up into groups. There was a group system within the smallest organic part of the Party organization. There was a group system and only the group captain maintained contact with those that were in his or her group. But no list of names
11338 whatever was kept.

Q. Were any records kept of the subscribers to the Daily Worker? A. Subscribers to the Daily Worker, that would be public. The Daily Worker had its own list of subscribers. They had to mail out the Daily Worker to those that subscribed to it. They had their name plates in the Daily Worker offices, and it could be that in some branches they even kept the names of readers of the Daily Worker. But as far as Party members are concerned, there were no names kept on the lower levels.

Q. Were any records kept as to the number of copies sold in a particular district, and the money received from the Daily Worker? A. Oh, yes, these records were kept. Even in the branch they had a press director whose main function was to keep these records about who are in that particular branch territory readers of the Daily Worker. There were records kept on a section level. There was a section press director who kept records about the volume of business that was done in that section territory as to the spreading of the Daily Worker, the list of subscribers, how many bundle orders are taken daily, and how many Daily Workers are distributed in house to house canvassing on Sundays or on weekends. These types of records were kept.

11339 Q. Was there any change in record keeping as you have described it up to the time you left the Party? A. No, the tendency was the other way. For party security, to give the utmost security to the individual in the Party, his name should not be kept by anyone without his or her authorization.

Q. If the Party leaders wanted to locate, say, a house painter in a certain section of the United States; would they be able to do it? How would they go about it?

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The Witness: If a Party leader wanted to get in contact with a house painter, how would he go about it?

By Mr. Paisley:

Q. Or somebody in the steel industry or on the docks. A. The only way a Party leader could do that was to get down to the specific organizer who was in charge of that particular Party organization where this particular individual would be, and through the organizer, contact him. Unless this particular individual is a personal friend of the Party organizer, then the approach is different. But through organizational channels, it would have to come down to that organizer in whose organization this particular individual was a member.

11340 Q. Did the Party in New York ever issue any instructions while you were active there after the reconstitution of the Party as to what they would say if they were asked whether or not they were members of the Party?

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The Witness: Shortly after the indictment of the eleven, an instruction was issued pertaining to the rights of Party members. These instructions came from the law offices of Unger, Friedman and Fleischer on Fifth Avenue, and the instructions said that individual Party members have the protection of the First and Fifth Amendments. In these instructions these amendments were cited. And a telephone number was given in case of any arrest or molestation by authorities to call that particular telephone number which was the phone number of Friedman.

The Party also had a discussion on this problem of safeguarding the individual, and as a result of that, another form was also projected, a small pamphlet informing the individual about his rights in case they are 11341 asked by authorities whether they are Party members or other form of molestation, and this pamphlet—

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The Witness: This pamphlet was published by the Civil Rights Congress, and was widely distributed in the Party, and also in some of the organizations where the Party had influence, such as the International Workers' Order, and similar organizations.

I reproduced the original legal advice that we got from the offices of Unger, Friedman and Fleischer, and supplied all Party leaders in the New York State organization with this legal protection, and also with the telephone number that was given to them in case they are approached by authorities about their Party membership.

By Mr. Paisley:

Q. Now, will you tell the Panel how the Communist Party controlled the attendance at conventions, if they did so?

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11342 Q. Tell us also whether you had anything to do with the control of personnel admitted to the meetings of the conventions. A. At the 1948 convention of the Communist Party, the national convention was held in Riverside Plaza, on 73rd Street near Riverside Drive on the West Side. I happened to be in charge of security at the national convention.

Q. Let me stop you and ask you there, what time in 1948 was that convention held? A. 1948, the summer.

Q. Had the eleven leaders of the Party been indicted at that time? A. Yes. In fact, Gil Green was picked up at that convention that morning when the convention assembled, either at home or at the convention, I don't know, but he was picked up that morning. I was in charge of the security of that convention, and here is the way the convention was controlled as far as delegates are concerned.

There must have been a master list somewhere with names—

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11343 The Witness: I was told there was a master list by Betty Gannett.

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The Witness: Where all the names of the regular delegates, the fraternal delegates, and the alternate delegates were listed. The national org. department placed a number against these names. Our working list on which we checked the delegate coming into the convention, we already checked the individual delegates to their number. This number also corresponded to the number on their delegate ticket. So we checked their three color tickets. For regular delegates they had one color ticket; for alternate delegates they had a different color ticket, and for fraternal delegates and invited guests, they had a different color ticket. All these tickets were numbered. So if it was one ticket color, we knew in what category this delegate was. And we checked every session in the morning and every session in the afternoon as they came into the convention floor.

We were also instructed in case they left the floor we should also mark the fact that they left the convention floor while the convention was going on.

11344 So this is the kind of control we instituted in this three day convention at Riverside Plaza at that time. This daily working control list was turned over to Betty Gannett after each day after the daily sessions were over and next day we started with a new list with the same identical numbers and with the same procedure.

By Mr. Paisley:

Q. Now, were any persons admitted who were not invited?

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The Witness: No persons were allowed to get in there without any authorization or delegates cards. Even the press was not allowed to get in there.

By Mr. Paisley:

Q. Who would keep them out? A. We had a person in charge of press relations. Her name was Marian Bachrach. She was in charge of keeping the press out.

Q. Were Party members stationed at the door? A. Yes, we had security guards, not only keeping those that are not invited to the convention out, but also not to allow any commotion there or walking around, to maintain the highest type of discipline in that particular convention.

Q. Who was in charge of security at the 1948 national convention? A. I was.

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11345 Q. Who was in charge of security at the 1948 state convention? A. I was.

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Q. Mr. Lautner, did you ever attend any National Committee meetings? A. Yes.

Q. During what period of time? A. From 1936 up to about 1941.

Q. You were not a member of the Committee? A. No.

Q. What would be the occasion for your attendance? A. There was a procedure in the Party twice a year to have plenary sessions of the National Committee, usually in the spring and in the fall. From 1936 on these plenary sessions of the National Committee, district organizers and other additional functionaries of the Communist Party who were not members of the National Committee but were key people in various organizations were invited to participate in the plenary sessions of the
11347 National Committee.

Q. What public notice, if any, was given of the sessions? A. No public notice whatever. The National Committee, when called together, went into session, and the first general notice about the National Committee was usually either on the last day but most of the time when the National Committee meeting was over. Then there was public notice of it in the Daily Worker, that the National Committee met and there was news about the work of the National Committee, resolutions, decisions, et cetera. There was to my knowledge never any advance notice of a National Committee Meeting.

Q. Were any security measures adopted at those meetings? A. The same security measures prevailed in National Committee plenary sessions as I described in relation to the 1948 National Convention. In the course of those years from 1936 on the person who was in charge of the security of National Committee meetings was J. Peters.

Q. Did they have a meeting of this type during the trial of the eleven leaders of the Party? A. During the trial of the eleven leaders there were National Board meetings. I was instructed from time to time while the trial was going on and there was a long week-end or there was a
11348 free day, if the National Board was to meet, I was
instructed by Gene Dennis to secure a number of meeting places for such meetings.

Q. What was Gene Dennis' position in the Party at that time? A. Gene Dennis was the General Secretary of the Communist Party. He described the type of place he wants, the location he would like to have the meeting to be held, and this was usually on a Monday or Tuesday if the meeting is to take place the following week-end. So I solicited two or three or sometimes five places. I got these places for him around Thursday. Then he told me that he was dissatisfied with some of the places, some he didn't make comment. Then he said, "Well, we will check." He selected one place out of the five. I don't know which one where the meeting was to be held. On one occasion he made a sudden shift there from Long Island out to Westchester County. There was some security problem there, and he told me that this shouldn's happen any more. A place secured in Westchester County through the County Chairman wasn't secure enough. It was in a small community where there were a lot of party members living there. They knew right away when cars were pulling in that Communist Party leaders were meeting over there. I got scolded for not exercising vigilance enough and checking personally on that place.

When he selected the place where the meeting
11349 was to be held it was at his discretion. I know on early Saturday morning he gave me a note to give to Bob where the meeting would be.

Q. Who is Bob? A. Bob Thompson, who was state chairman of the Party.

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Q. Let me go back and ask you, what was your position in the Party at that time? A. I was head of the
11350 State Review Commission and a member of the National Review Commission and in charge of security for the New York State organization of the Communist Party.

Q. Do you know why you were selected to do this particular type of work? A. I have no other reason to believe than the fact that when I was brought into the state organization as a Review Commission secretary, the person who held that position prior to me was doing the same thing, and that was J. Peters.

Q. Did you attend any of these board meetings? A. No. I want to say that at one occasion I knew the place selected and I was observing whether any of the persons that went to this place, whether they were shadowed or tailed. That board meeting was held in New York on 22nd Street just about a stone's throw away from where I lived. I had an opportunity to observe that morning whether any of the leaders who came to the meeting were shadowed by the authorities.

Q. Did Dennis tell you why he wanted you to select a number of places? A. Yes. He said that he wanted to make his own choice. It was a security measure on his part. The final decision was to avoid going into a place that might be wired.

Q. How many were on the board? A. Twelve
11351 or thirteen.

Q. Do you know how they were notified of the meeting? A. I beg your pardon.

Q. Do you know how they were notified of the meeting? A. They were notified personally by Eugene Dennis.

Q. Speaking about the organization of the Party now, into what sections were professional and semi-professional people placed? A. In industrial sections that were orgaized under the leadership of the New York County organization.

Q. What do you mean by industrial sections? A. Industrial sections were composed of members who worked in the same industry and were integrated in a special section having plans and aims for working among those industrial workers and shops or offices where these people were occupied.

Q. You mentioned teachers a while ago in your testimony. Were they in a separate section?

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The Witness: Yes. Teachers were organized up until 1948 in clubs, and these teachers clubs were distributed first among various counties and various sections
11352 in the counties. In the school year of 1948 and 1949 there was an effort to organize the teachers into a different type of organization, to break up these clubs and to eliminate these clubs and to organize them into a security structure where three teachers would be in one group and they would work in echelons, and the primary steps in this direction to integrate the teachers from the various clubs into this structure was abruptly halted at the end of the school year '48-'49. They went on their vacations. When they came together in 1949, September, this organization then proceeded until by the time I was expelled from the Communist Party 300-some-odd teachers were integrated into this new structure with a committee of three. That was a separate organization. With this structure there was a liaison established that would communicate with the Party leadership.

Q. Were they open and notorious members of the Party?

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The Witness: Some of them were known as Party members. Most of them were active in local 555 of the Teachers Union. They were carrying out the trade union policy there, the Party trade union policy in the local union, which was known as the left-wing teachers trade union organization.

11353 By Mr. Paisley:

Q. To what extent were the teachers open and notorious members?

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The Witness: Some of them were ex-teachers who were known to be Party members. Some of them became Party functionaries, like Isadore Bengun. He was known as a former school teacher and became a Party leader. There was Dave Goldway, who was a school teacher, and he became head of the Jefferson School. And there were others. Some of them were teaching in the Jefferson School. They left the school system. Most of the teachers were active as trade unionists in their own organizations and in the parent teachers association and other types of activities that teachers would be active in.

By Mr. Paisley:

11354 Q. Were there any other professional or semi-professional groups to your knowledge? A. Yes. There were. I think I testified to the fact that there were civil service workers organized in a section. There were federal workers organized in a section. There were lawyers organized in a section. The person who was in charge of civil service workers was N. Rollins.

Q. Who was the section organizer for lawyers? A. For the lawyers the section organizer was Abe Unger. Abe Unger was known also as the Party attorney, with offices at 100 Fifth Avenue.

Q. Did you have any official contact with him? A. Oh, yes, as a Party attorney and also as a section organizer. He attended large county committee meetings as the Party representative of attorneys.

Q. Do you know how many members he had in his section? A. I wouldn't know. I don't know.

Mr. Abt: I object.

The Witness: I know some of them, but I don't know the names.

By Mr. Paisley:

Q. These professional and semi-professional groups which you have mentioned—was the membership generally known?

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11355 The Witness: Not in these professional sections. The reason for that was that—

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The Witness: To give personal portection, personal security to these individuals because in the main their effectiveness in their respective professions would have been impaired if they were to be known Communists.

By Mr. Paisley:

Q. Do you know May Miller? A. Yes.

Q. Did you work with her? A. Yes, May Miller was the assistant organizational secretary of the New York State Organization of the Communist Party.

Q. Did you and she have anything to do with this teacher set-up? A. Yes. May Miller and myself were designated by the Party secretariat to carry out this reorganization
and to integrate the school teachers in this special
11356 structure to safeguard their identity and their
security as Party members.

Q. What was the purpose of this teacher section?

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The Witness: Because there was an attack against left-wing teachers in New York. There were laws made in Albany, the Fineberg Law, and the Board of Higher Education was under pressure to ferret out Communist teachers. The Party felt it was necessary to give the utmost security to the teachers who were members of the Communist Party within the framework of the organizational structure of the Communist Party.

By Mr. Paisley:

Q. What was the status of this teacher organization when you left the Party?

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The Witness: The status of this teachers organization was that the reorganization was completed. Out of a possible 500 party members, teachers in the New York school system, a little over 300 were integrated into this new structure, and at the time I left the Party a top liaison maintained contact, a top committee of this new structure maintained liaison contact with the Party leadership. 11357

Q. Did there come times when an open member was withdrawn as an open member.

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The Witness: Yes.

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Q. What would be the purpose of that? A. The purpose of that was that members from branches were withdrawn from time to time for various reasons. One reason would be that the person was selected to be a mail drop. The address was to be used. That person was isolated from his branch, and he became known as a member at large. Or in the period of 1949 a whole number of places, I would say close to 100 such party members were withdrawn for the following reasons. There were efforts to get as many meeting places, telephone contact places, places for individual party leaders to stay for a long period of time, for a specified period of time or just for meeting another person at a specified time. So these people were all drawn out from the Party organization and were told that their function from now on would be to carry out the assignment that they were assigned to. There were people who were drawn out, who were not integrated in the Party organization who were key people in mass organizations, so to speak. For example, in the top councils of the American Jewish Congress there were 11358 a number of Communists who were not members of any branch, who maintained contact with a Party person and got guidance and consultation through that type of liaison.

Then there were trade union leaders in the Party who at a certain given period of time in 1947 already and later on more frequently, just dropped out from Party activity and maintained personal contact with Party leaders on trade union problems.

These are the various reasons why Party members were drawn out from their regular Party organization to which they were belonging and became members at large.

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The Witness: I want to say there were also members of the New York Police Force who were members at large, and I used to collect dues from these policemen in the Communist Party, and get donations from them at the time when there was a fund drive to raise funds for the Communist Party.

By Mr. Paisley:

Q. In the summer of 1948 you were Secretary of the State Review Committee, were you? A. Yes.

11359 Q. What was the position of Emanuel Levine? A. Emanuel Levine at that time was on the ninth floor as a security officer. This was in the summer of 1948?

Q. Yes. A. Because shortly after that he went in as circulation manager of the Daily Worker.

Q. Did he have occasion to make complaints to you? A. Yes.

Q. About a Party member being exposed? A. I recall one instance. This was in the spring of 1948, during the fund drive.

Q. You mentioned the ninth floor. The ninth floor of what? A. The ninth floor, popularly known as the headquarters of the National Committee of the Communist Party.

Q. The Daily Worker was where? A. The Daily Worker business offices were on the second floor.

Q. The same building? A. The same building.

Q. What is the address? A. 35 East 12th Street

11360 Q. So Emanuel Levine came to you and made a complaint? A. Made a complaint that one of his members at large, who was integrated in one of his apparatuses—

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maintained liaison contact with the Party leadership. 11357

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Q. The same building? A. The same building.

Q. What is the address? A. 35 East 12th Street

11360 Q. So Emanuel Levine came to you and made a complaint? A. Made a complaint that one of his members at large, who was integrated in one of his apparatuses—

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The Witness: A member in one of his apparatuses was contacted by the open regional director of the Party for money. This person was Lenny Levinson, who was at that time the regional director of the Communist Party on the upper West Side. Levine complained that because of this now he will have to drop this person because the identity of this person, if not isolated, would lead to the others in that set-up, and complained about Lenny Levinson, that he sticks his nose into too many things that are not his affairs. He said that Lenny crossed his path once before on the West Side with people who were under the protection of Emanuel Levine, in contact with Levine.

By Mr. Paisley:

Q. What was the name of this person? A. Rogozin, R-o-g-o-z-i-n, I believe. Johnny Williamson spoke to me about it, too, after Emanuel Levine said that
11361 Johnny wanted immediate action on this, that we
will not allow a situation where such sloppiness can be real, and an investigation of Lenny Levinson. Such investigation was conducted, and it was found out that Lenny Levinson was formerly an employee of the Federal Bureau of Investigation in the fingerprint department. When John Williamson found that out he immediately instructed us to see that Lenny Levinson was removed as regional director. I conveyed that instruction to George Blake. Lenny Levinson shortly after the 1948 convention was removed as divisional director and Betty Haubrecht became the regional director. A little bit later on Levine came to me complaining that while Lenny was removed, he was still on the payroll. What happened I don't know. I told George Blake. I don't know what organizational steps were taken.

Q. All this resulted from his having discovered this undercover person? A. Having contacted one person in Emanuel Levine's apparatus.

Q. Mr. Lautner, did you have any official function to perform in the Communist Party in connection with the Party's going underground? A. After the indictment of the 11 that was my main function, to prepare the New York Party organization to go underground.

11362 Q. Who gave you the assignment? A. This assignment was given to me by Bob Thompson, State Chairman of the New York State organization.

Q. Were your activities to be confined to the New York region? A. To New York State.

Q. Just tell the Panel all about it, what you did, who worked with you, and so forth. A. When the indictments came down Bob was not available for a week or so. Finally when he came into the office a few days after that he called me in and he said he wanted to have a meeting with me and the secretariat.

Q. He was one of the individuals who had been indicted, I understand. A. Yes.

Q. He had made bail, had he? A. I beg your pardon?

Q. Had he made bail? You said he was not available. A. He wasn't arrested when the indictments came down. The others were. He was out for a while. Then he voluntarily came in, and I met him a few days after that. Then he told me he wanted to have a meeting with me and the secretariat. I asked him about the nature of the meeting, and he said, "Well, I want you to prepare a report on what steps are in effect to safeguard the Party and what security steps are in effect as of the present."

11363 Q. What experience had you had in the Party that would particularly qualify you for this work? A. The fact that I had certain security measures in effect up to that point that I took over from J. Peters as to contacting people, as to calling meetings of section organizers, and similar measures.

Q. Were you also teaching classes at this time? A. Yes, I was teaching classes in that period of time, yes.

Q. All right, go ahead and tell us what you did. A. I called a meeting in my place, in my house, and I gave him a report of what steps were put into effect to eliminate some of the sloppiness that existed in the indiscriminate use of telephone, calling meetings by letter, calling meetings by telephone, and things of that sort. I told him that we worked out a structure in New York County where if George Blake wanted to call a meeting of section organizers, all he had to do was to get in touch with two contacts, and these two contacts in turn would get in touch with three each, that is six and 12, and in this way through three contacts, through a chain, get in touch with the section organizers and convey a message from the County leader.

Q. When you were first directed to do this work did you meet with the secretariat of the New York State Committee? A. I gave this report to the secretariat 11364 at that meeting. Besides Bob Thompson, Bill Norman and Hal Simon were present. They were the secretariat of three at that particular period. I gave this report of what measures we had taken, how we had tried to discourage the indiscriminate use of telephones, not to give Party leadership by telephone from an office, but to have personal contact, and this system of communication. Bob said, "Well, this is not the thing that we want. We need something else." Then he told us that Foster, William Z. Foster, who recently came back from Europe—he was in Europe in late 1947—that Foster in discussing repressive measures—

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11365 The Witness: In discussing the possibility of the repressive measures against the Communist Party in the United States, certain organizational measures were suggested and Foster described that it was desirable to adopt the three system that was in effect in Europe, in most of the countries where the Party was underground. Bob told us that the authorities know this system. Nevertheless, it is the best devised system yet for the protection of the Party. Also Bob further went on to say that it was the experience of the Communist Parties in Europe that when these parties were driven underground there was a contraction of about 90 per cent of the Party membership in the various countries, Germany, Italy, Hungary, where-ever the Communist Party was driven underground. So, Bob said, "We must base ourselves on these experiences and we must expect a similar situation that might develop here in case the Party is declared illegal.'' He said, ''Our problem will be, therefore, to find that 10 percent of the Party membership now, while we have time, that can be integrated into an organization and will function as the Communist Party even if the Party as such is declared illegal."

He said that this 10 per cent must be established where it could be most effective in the labor movement and the trade unions and in the mass organizations where they had reasonable protection working in these mass
11366 organizations.

By Mr. Paisley:

Q. Did you decide to adopt this system of threes, which you say Thompson said Foster had suggested? A. Yes. Bob told us to work out a detailed plan how it would look, and also to designate levels in this structure.

Q. Tell the Panel now what steps you took to put it into force. If necessary, you can use the blackboard there to illustrate how it worked.

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Q. Did you put the system into effect? A. Yes. By the time I was expelled from the Communist Party all levels were integrated. There were seven levels in the underground organization, and it was functioning on the principle that the initiative always comes from a higher level, and that no lower level of this structure or no lower three can at any time contact a higher level. The initiative comes from above. That is one of the essential principles of this structure.

11367 When Bob told us to work the details out we had about three or four meetings after that. Bob pulled out after this initial meeting because he was busy with his trial. I met with Hal Simon and Bill Norman on a number of occasions where we were perfecting on paper a plan before we even would discuss it outside of this small circle. We divided up New York State into three areas. Area 1 was New York County with its trade union industrial sections and the cultural division of New York County, the cultural division that was attached to the New York State organization. Area 2 in this structure was Kings County, Queens, Nassau, whatever was in Nassau, Bronx County, and Westchester County, and the industrial sections that were in Kings County. Area No. 3 comprised the upstate part of New York State, Buffalo, Rochester, Albany-Schenectady, and the tier, Endicott, Johnson, Binghamton and that part of the state. That was area 3.

By Mr. Taylor:

Q. What do you mean by the cultural division? A. The cultural division is the division that we spoke about, an industrial form of set-up under the New York State leadership, not the New York County leadership. In the cultural division you had all those who were professionals, in radio, television, the arts and the sciences. Those people
11368 were members of the cultural division of the party.
The cultural division organization was led by Dave —I don't recall the name. Lionel Berman was the organizational secretary, and I don't recall the other names.

By Mr. Paisley:

Q. Go ahead. A. Dave Gordon was the educational director of the cultural division, Lionel Berman was the organizational secretary. There was a change in positions there for a while when Dave Gordon became the organizational secretary and Dave Golden was the political head of the cultural division of the Party.

Q. Let's get back to this plan to go underground. A. I described the three areas that were divided. I wish at this time that I could visualize this structure, what it looks like.

Mr. Paisley: That is quite all right. Do you have a piece of chalk?

The Witness: May I use the blackboard?

Mr. Brown: Surely.

By Mr. Paisley:

Q. As I understand it, there were two aspects, one a vertical and one a horizontal, is that right? A. At this stage we were discussing only the vertical aspect of the structure, integration of that ten per cent that we 11369 thought would be the underground organization in case the Party was driven underground.

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The Witness: The top three of the structure were known to be the state leadership of the Party. The state leadership was composed of three people, three persons, the political head, the organizational head, and the trade union mass organization head of the state leadership.

The next step was that the political head on his own initiative, but by instruction, would select three political heads, one for each area.

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11373 The Witness: I would like to say that what we planned was put into effect.

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Q. You said that before, didn't you, Mr. Lautner? A. Yes.

Q. In plain English? A. Yes.

Q. Just a few minutes ago? A. Right.

Q. All right, now go ahead. A. The political head of the state leadership on his own initiative was to appoint

a political leader for each one of the three regions. The organizational leader was to do the same thing, and the trade union mass organization leader of the organization was to do the same. So we had the same three leaders on an area level. How were these three to get together? By a preliminary arrangement, by giving a certain identification from the top and by setting a date and a
11374 specified time and by instructions from the top
three, these three were to come together. Then they knew each other. This person only knew his three people.

Q. By this person will you identifiy whom you mean? A. The political person knew his three people in the lower organization on the lower level, on the areas level. The organization person knew his three. The political person did not know this or this person. All he knew was the three persons below him. The same principle applies to others.

In case these three on the state level made a decision it was not necessary for him, the political leader, to run to each of his three people on the lower triangles, but he would by prearrangement inform any one of them in the triangle, either this one or that one or this political leader and if he chose this one then the original and the trade union chose the other one of the two. So one person by informing only one on the lower level covered all three, each on the top taking care of one area leadership. It was not necessary to duplicate or triplicate decisions down the way.

Then this level further down the third level, was known
as the county level. It was just a designation. It
11375 didn't adhere to any specific county lines. That
was the third level.

The next level was the regional level, and then there was the section level, and then there was the sub-section level, and then there was the basic organization of the structure, the bottom three, the unit. We had seven levels. If there were three on the top level, 9, 27, and it multiplied by 3 that way, 81, 183, 729, altogether about 3150 or 3200 people were integrated into this structure.

We worked on these plans up until the beginning of 1949, and then we called a meeting of county leaders where we projected in a general way the plan, and then this plan was to go down to the fourth level by the middle of 1949. I was busy with another aspect of this structure while this known as the vertical structure of the Party was being built. We decided to take out of the work a former treasurer of the New York State organization of the Party by the name of Dave Leds or Dave Ameriglio, to work with Hal Simon in checking how the four levels that were established already functioned. We called a meeting of county leaders in the middle of 1949 to check whether there was a proper integration, whether the proper personnel was integrated on the four top levels. We came to a number of conclusions there. One that on the first four levels when we checked—and we checked through an envelope
11376 and colored paper method—when we checked the first four levels we came to one conclusion, that we hit the bottom of the barrel too quick, that not the proper personnel was integrated in the four top structures of this organization. We came to another conclusion, that no Negro leaders of the Party were integrated into this structure in the top four levels in New York State. We were quite alarmed and concerned about it because this was in 1949 at the highest, when a political campaign was conducted in the Party and the struggle against white chauvinism here in this phase of the work was a clear manifestation of white chauvinist practices. We felt that we were leaning backwards too much, in other words security too much at the expense of this over-all political question, the Negro question.

When this check up was made it was decided to yank out from this structure those that were not suited to be on the second, third, or fourth levels, and to replace them. How that was to be done, that was done through the top three and through those who were integrated on an area

level. I myself went upstate to Buffalo where I had a meeting with the upstate area top three, and there we had a different problem. The problem was that the structure provided for the underground organization was too big. There weren't enough people in some places, and they were scattered all over the upstate area, that could not
11377 fit into this structure, so in some places the structure went down to the fifth level, in some places it remained at the fourth level from the area level down, and some places only two levels were accomplished in smaller places like Binghamton or the outskirts of Buffalo. When these four layers were checked the integration was made. The "go" signal was given to build the structure all the way down to the seventh level.

Q. Who gave the "go" signal? A. The "go" signal was given by the secretariat. I had a discussion with one of the persons in area No. 1 and one of the persons in area No. 2. As I said before, upstate we had a special problem, and this building of the structure all the way to the seventh level proceeded. So by the time of the end of the 1949 structure was complete, we had a meeting and it was in the process of testing. The question arose that Kings County—it was protested that Dave Leds, who was a Kings County functionary, part time functionary, was taken out from Kings County with the consent of the county but they didn't realize for how long and they were demanding that Leds should go back. However, it was agreed with Hal Simon that as soon as the checking of the structure all the way down was done, Dave Leds would go back to Kings County and function in the capacity of finance secretary or what.

Q. You answered a moment ago the secretariat.
11378 Did you mean the national secretariat? A. The party secretariat, the state secretariat, who in the meantime was composed of Bill Norman, Hal Simon and George Blake. George Blake in the summer of 1949 was drawn into these discussions. We had a number of meetings at various places, at various times. If necessary, we have all that.

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Q. Mr. Lautner, after the county leaders were informed about these plans were any steps taken to put the plans into operation? A. What we were involved with here was to build up this structure while the legal organization of the Party was functioning, and at this meeting in January in 1949 when we informed the county leaders that this plan was going to be put into effect and that they should inform any and all of their members in their respective counties of any questions that are raised, what is the Party doing, is the Party doing something in the face of these attacks, that they should inform these people that an 11379 organization was being put into effect that would take care of and face any eventuality. Also we made it clear that it was necessary to build a structure to safeguard the continuity of the Party, and that it was necessary to have a structure in case even if the Party is driven underground, to have an organization force that can fight its way back into legality. In a disorganized way that is practically impossible. In an organized way through this structure it would be possible to fight back in an organized fashion and possibly get back to a legal status. That was made clear at the meeting.

What happened when the first four levels were built after our meeting when we were evaluating the structure to that point, Hal Simon was designated to make a test of the first four levels. About a month later we had a meeting where Hal Simon reported that the test was put into effect and that it was satisfactory. Bill Norman made the additional statement at this meeting that we must now take steps on the question of the integration of Negro leadership into the four structures.

By Mr. Paisley:

Q. To whom were they reporting? A. To the following people who were at this meeting. The meeting was held near St. Mark's Place. I don't know the house number there, but it was a home of Lefkowitz, known in the Party as Lefty Lefkowitz, who was a youth leader. He 11380 gave his house for an all-night meeting where this evaluation was made. Bill Norman instructed me to speak to Pettis Perry and acquaint him with what we were doing, if he was not acquainted in a general way, and sound him out on the question of integration of Negro leadership. That meeting between myself and Pettis Perry did take place, where Pettis Perry made a strong point that this is not a question of a purely organizational nature but this is a highly political problem. That week-end he was going down to the south and he said he would have opportunity to discuss the form of Party organization in the South and when he came back he would have a conference, that we would have a discussion about it and he would have definite opinions. I also sounded out "Stretch" Johnson.

Q. Is Pettis Perry a Negro? A. He was elected at the 1948 convention as an alternate member of the National Committee, a Negro leader of the Party, head of the negotiation commission of the Party. I also sounded out Howard "Stretch" Johnson in a general way what we were doing and what were his views about the integration of Negro leaders into the structure. He said from the point of your security it is a ticklish problem, but the political aspect of this problem is more important to him too than only the security aspect of it. I reported back to Bill Nor- 11381 man and that is where it stood on this problem at that time. "Stretch" Johnson to my surprise, we were discussing it and already building it and in the middle of 1949 the state educational director didn't even know what the Party was contemplating in the way of building a structure within the Party in preparation for going underground.

Q. What was done below the lower level? How far did you go down? A. By the time December 1949 came around it was built all the day down to the seventh level. In that meeting that I had with Hal Simon this was made known to me. Dave Ameriglio was doing the testing at that time and the structure was completed. I am discussing only the working aspects of this structure, the integration of the threes based on certain security principles all the way down to the Seventh level. There were horizontal aspects of this structure going on simultaneously and I was more concerned because of personal responsibilities in that respect.

Q. Before we go into the horizontal aspect of it as I understand it the initiative was always from the top, is that right? A. That is right.

Q. With whom would a man on the seventh level, for instance, communicate? A. Only with the three
11382 people the additional two people around him in his or her particular triangle, and by initiative from above from the person who was on the sixth level.

Miss McHale: May I ask a question along that line, Mr. Paisley: How wide-spread was this known among the membership, the rank and file, or was it a top secret with the higher officers of the Party?

The Witness: It was known to those who were integrated. There was this problem: Some people were already integrated into a structure on some level when they were approved again by somebody else on a lower level. These people when they were integrated already were told to leave me alone, I am not interested. Cases like that were brought to my attention.

By Mr. Paisley:

Q. This vertical arrangement contemplated some 3000 members, you say? A. Yes, this is a mistake here. 81, 243, 729, and three times 729, and then three times 729 three times. It would be 3,000-some-odd members integrated into this structure, which corresponds to about 10 per cent of the integrated membership numbers that we had in 1948. We thought we had on paper about 30,000 members in New York State. Actually I don't think we had more than about 23 or 20-some-odd thousand members who
11383 were actual dues-paying members at that time.

Q. Do you know whether or not that system was put into effect in any other region than New York State? A. Yes.

Q. How do you know that? A. I know about that because in the horizontal aspects we introduced certain features pertaining the printing, for instance that were available. We took the initiative in New York State, and in 1949 there was a plenum held and Jack Kling sent some of these people down to give them samples of hand mimeograph machines that were to be integrated into these three so as far as printing was concerned they would be self-sufficient. We gave them a sample of these machines to take over to their respective states.

Q. We will get into that just a little later, Mr. Lautner. I probably misled you there. Let me ask you this question: Taking the second level where you have three triangles, how many men would the organizational man know in this vertical setup? A. Take for instance, these three over here. These three would know each other. As far as the individuals are concerned, this individual would be known by these two, by this person up on the higher level and he would know those three that he appointed on the next lower level.

Q. So the political man in the second tier— A. Would know six persons. That would be the extent of his knowledge about who are Party members.

Q. Would that be true of a man on the third level in the same position? A. The same principle prevails all the way down except the last level, the seventh level, where he or she would know only the two additional people in that triangle and the contact above who from time to time contacted that person on the seventh level.

Q. You told us about the vertical aspect of the underground system. Will you relate to the Panel the horizontal aspect? A. Simultaneously as this structure was under development, and as it was built we had the following problem on the horizontal level. First, reserve leadership on the top level, reserve leadership in case this cadre was cut up, that there is a second and third string of leadership that would step right in and assume leadership and responsibility to carry out and to give leadership to that party.

Q. That was your problem— A. This was the responsibility of the top three, to establish one or two or, if necessary, more threes on a horizontal level as reserve leadership. They were to be isolated completely. They were to be informed from time to time what the organiza-
11385 tional problem was. That was their assignment, to be in reserve as a reserve leadership. In the meantime they could function in the legal organization or they could function in the trade union or wherever they were functioning, but they were designated as reserve leaders in case something happened to the top three.

Also, the following aspect of the horizontal leadership was considered. First, printing. We agreed that we would stash away two complete sets of hy-power photo offset printing equipment, beginning from plate manufacturing or plate developing, chemical processing, and the printing machine itself. It was my responsibility to establish these two sets. At the time I was there one such complete unit was put into effect, was established. This unit was placed out on White Plains Road in the Bronx in a small plant where a complete unit, a complete hy-speed photo offset equipment, printing machine and all the chemicals and plate-making paraphernalia was put into effect there. It was there, and it was used from time to time. It was used for the following reason: We could have that machine and wrap it up in cellophane. If nobody touches it the dust would get around it and it would get rusty. In order that it might be in working operation on a minute's notice it had to be tested and had to be worked from time to time. That is the kind of machine it was. It was used
11386 for various reasons which I will come to later.

Q. Before you get into the details of such matters as you have been discussing, Mr. Lautner, will you tell us generally what the groupings were in this horizontal structure? A. We had reserve leadership, we had printing, we had communications, we had contact places, meeting places, a person in charge of that.

Q. How about finances? A. Finances, and persons to secure paper for printing, and the distribution of printed matter or printed material, a whole apparatus for that function.

Q. What did you do about providing for the need for money, for instance? Take that aspect of it. A. At the meeting where we discussed and oriented the county leaders about what the Party was contemplating doing there were two points on the agenda, a report on the fund drive on finances, and my report, a general report on preparations for going underground or preparations in the struggle for the legality of the party. In the report on finances at that particular meeting Bill Norman, who gave the report, projected a budget for 1949, $650,000, which was to be broken down into county quotas, section quotas, and branch quotas, but the over-all state budget
11387 was $650,000 for the whole state organization. In his report Bill Norman also emphasized that a part of the budget must be allocated for this type of work, preparations for going underground. Here is what we did on the state level. One day I was approached by Bill Norman to work up a list, to make up a list of about 20 people who in my opinion were loyal and devoted enough to the Party that they wouldn't change their loyalty for, let's say, $20,000 or $15,000 or that amount of money. After a week or so I prepared such a list, giving due consideration to each individual that I put on that list, and I gave him 20 names. To my surprise he called in two additional people the next day, and the two additional people were Bernie Chester, who was the treasurer of the state organization, and May Miller, who were similarly coming into this meeting with their lists which Bill Norman told them to prepare. So we had three times 20 names, out of which 60 names were exchanged. We had

60 names and we came to the conclusion, let Bill Norman have all the 60 names and let him select his own 20 names that he wants. If he wants to trust these people, each individual, with the amounts of money that he thinks they are trustworthy of, that would be his problem. We gave the list over to Bill Norman, and that is the last that I have heard of that problem.

At this finance meeting Bill in his report also
11388 indicated that it was necessary to put money away,
and I know as a fact that New York County had such money because when we gave them 120 adding machines they paid with cash, and Kings County, out of the reserve money that already was laid away from the budget for preparations for going underground.

Q. What was the principal function of this underground organization to be? In other words, what were they going to do? A. The feeling was that if the Party was declared illegal there was an organized force that was supposed to fight in an organized fashion, to fight back into legality. That was the version that we gave to the county leaders. We had in mind that by projecting this organization into the Party at that time might create a situation where the Party members would feel that the Party was going underground and that the legal organization was done away with. In order to avert, in order to avoid that possibility we stressed that only in this way can we guarantee any success of a fight back into legality. Beyond that, what this organization was supposed to do once the Party was illegal, the main work that the Party under those conditions could do would be propaganda work, leaflet production, and stuff like that.

That is why on all these levels we tried to supply various
forms of reproducing machinery, printing machin-
11389 ery, and each three should be supplied with that.
Besides whatever abilities that this organization could do, what it can not do as a Communist organization, members of this organization could function in the trade

unions and mass organizations in individual capacities based on their knowledge and association within the organization and with instructions from this organization as members of that organization, not as open Communists.

Q. Did you decide on what equipment you would need and did you take any steps to acquire any of this equipment? A. Yes, sir.

Q. Will you relate that to us? A. I spoke before that we had this full set of high-speed photo offset equipment, printing equipment on the state level. The New York State organization gave the upstate area another photo offset printing machine because they were poor relations upstate. They didn't have the finance means for it. New York County area 1, New York County and the cultural division and the trade union section were supposed to set up their photo offset equipment, and in Kings County they had one already, and it was stashed away in a small cabinet shop around Williamsburg Bridge. The name of the cabinet maker who runs that shop is Harry. I don't know his other name. We had a complete unit in his establishment there.

The state unit, as I said before, was up in the
11390 Bronx on White Plains Road in a little factory.

Q. Did you yourself have occasion to see to the establishment of another one some other place? A. By 1949 I had one complete. Here was my problem. If you buy a new machine, these machines are registered. These machines rest on cement foundations. So the manufacturer has a registered number of that machine and the purchaser is known. So I had to buy the first machine, a second-hand machine in very good condition. That machine has been purchased from Bill Stencil, who was a mimeograph shop on Union Square. He does not know that the Party bought that machine from him because the person who went to purchase the machine bought it for himself, paid cash, and a truck came and the machine was hoisted on that truck and it was taken away. This person who purchased the machine was an expert on building up this unit so that it became a self-sufficient, complete printing unit.

Q. Do you know a man named Frank Shore? A. Frank Shore was the owner of that little shop out on White Plains Road where this photo offset equipment was established, and Frank Shore in his little factory also manufactured those little hand flat mimeograph machines that were purchased by the various areas so that they were distributed in the structure to each of the threes. At the time I was still there Area 2, Kings County and the
11391 related counties to that area, bought and paid for
120 machines, and they ordered an additional 1020 machines. New York County bought and paid for 120 machines, and I delivered those machines on a Saturday morning in the Jewish Labor Bazaar, Morning Freheit-Daily Worker Truck to a place, a little laundry on the lower East Side a block off the street, where they placed these 120 machines. The person who was with me taking these machines was Bernie Taylor, the treasurer of the New York State organization, who drove the car.

Q. How do you spell that name? A. That was his party name. He is also known as Schuster.

Q. Would you describe these little machines you are speaking about to the Panel and tell us something about the cost of them, where they were made, and so forth? A. Already in 1947-48 there was a consciousness in the Party to get as many mimeograph machines and to supply Party branches and Party sections with mimeograph machines. New York County, whenever the occasion arose, gave mimeograph machines as prizes. The Bronx County did the same thing. These machines finally were stashed up in section headquarters and county offices, because they were cumbersome big things. They had the rotating drums. Nobody wanted to keep a machine like that in his
11392 house. New York apartments are small. The
clothes closets are packed. Our problem was to devise a type of mimeograph machine that could be taken apart, which could be disassembled, spread around the apartment so it doesn't look like a mimeograph machine. Such a machine was secured, a sample of one was secured,

and such machine was manufactured on White Plains Road in this little factory where I paid money for the manufacture of these machines as I got these machines from these individuals.

Q. Who made them, do you know? A. Frank Shore made these machines.

Q. How much did he charge you for them? A. I think it cost the state about $9 per machine.

Q. Was he a Party member? A. He was a member at large. We sold these machines to the counties for $12 apiece.

Q. Did you ever have occasion to pay him any money? A. Oh, yes.

Q. For these machines? A. Yes.

Q. I show you these three papers right here, Mr. Lautner. Will you tell the Panel just what they are? A. These are receipts for the money that I paid to him on these hand machines.

Q. Is that in his handwriting? A. That is his
11393 handwriting, and that is his signature. This first one is my handwriting but his signature, where on the purchase of the high-speed photo offset equipment I gave him $1500 to go ahead and buy it, and I made that look like a loan to him. I signed that.

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Q. That was Party funds, I presume, that you used? A. That was money I got from Bill Norman and from Bernie Chester upon the instructions of Bill Norman and Hal Simon, who were members of the New York State Secretariat.

Q. Does that represent all the receipts that you obtained? A. No. These are some of the receipts. I don't have all the receipts.

Q. Approximately how much money was invested in the machines? A. We had plans to make 1000 of these hand machines and pay Frank Shore $9 per machine, to pay him about $9,000.

11394 Q. Were you going to use that many machines? A. At the time I left the Party we had about 600 manufactured, an additional 100 was in process of being manufactured, and 300 additional were to be manufactured later on as the requirements of the organization demanded.

Q. You were going to need that many in the New York organization? A. Yes. You can figure out that there are approximately 3000 integrated, three to a triangle, approximately a machine for each triangle. About a thousand machines were to be manufactured. Also I was instructed by Jack Kling, who was the national treasurer, and to my understanding he was involved in similar type of work on a national scale—that is why he sent me down in Cleveland—he told me to safeguard and save the dies with which this hand machine was made. This hand machine was composed of the following: There was a flat board made with a wooden frame, and on this wooden frame there was a metal plate. To this metal plate there was a little metal guide against which you could put leaves of paper, 20, 30 or as much as 50 leaves of paper. At the end of this wooden structure and this metal plate there was a metal structure, two rods with two springs on the bottom so that the inside part where one would put the padding and the stencil was flexible. If that metal part was folded down on the plate, going over it with
11395 a roller, that inside part where the padding and the stencil was would touch the paper and whatever marking was there on the stencil, whatever text was on the stencil, would be printed right onto the paper below. All you had to do was put in about 50 or so leaves of paper and then fold that thing and roll it over, take it out, and make another leaflet. It was a very neat little thing and did a very clean job.

The instructions that we gave with each machine: Each machine was packed in a cardboard box with a whole ream of stencils and with the following instructions, that this machine shall be assembled only at the time when it is in production. Otherwise, take the wooden structure with the metal plate and make a picture frame out of it. You can use it as a picture frame or you can use it as a water plate or a plate of some kind. As far as the other part is concerned you can use the metal structure as a crocheting square. Even that could have been taken apart. You could completely disassemble this machine so that it disappeared in the apartment. Only one who would know what to look for would find that machine. This answered the problem how to have mimeograph machines in small little apartments where every inch of space counts.

Q. Did I understand you to say that when Mr. Kling told you to go out to Cleveland you understood you
11396 were to go on this same kind of work? A. That is what Jack Kling told me, that he felt that in New York these preparations were quite well advanced and I was to go to Cleveland to help out in the Midwest, to accelerate and speed up preparations to come on a par with the New York organization and the New York work.

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11397 Q. Mr. Lautner, was paper a problem in that plan? A. Yes. We had the following problem to contend with: Each paper has its own chemical mark at the point of production where paper is produced. Each manufacturer has his own peculiar chemical mark. Our problem was to integrate paper from various sources, from various manufacturers if it went into the production of pamphlets, particularly on a state level, with the machines we had. The person who was put in charge of securing paper was a leading Party member in the printing industry. I think his name was Al Ross who works out in Long Island on a paper there. He was to get acquainted with a number of paper salesmen and to get accounts for these paper salesmen with unions where we had influence, like the distributive trades, if possible with UE and other similar trade unions where paper accounts could be opened with trade unions that use a lot of paper in their office work.

Also, we established with a number of printers, small printing establishments who use paper in volume, to get an additional amount of paper, $500 worth more of paper in their stock, in their running stock, so that in case we called upon them to supply us with paper, that
11398 paper would be available for us. It was made clear
that we didn't want any paper in stock to just lie dormant because paper has the peculiarity that it gathers moister and swells up, and for printing purposes it is not good later on. You have running stocks in a printing establishment. At two places I gave $500 to a person who had contact—this was a different phase of the same problem—who placed this money with small printers, jobbers, that they should increase their stock by that much. So that was how we met this problem of paper. It was also made clear that the only time we would use that paper and the only time we would use the high-speed photo offset equipment was where there are no possibilities whatever to do any printing for the Communist Party or under the label of the Communist Party at all. The last resort was this resort, our own resources which we had prepared.

Q. I would like to digress just a moment from the subject of the machines and paper to a couple of matters that have occurred to me in connection with your expulsion. You have told us about Kling's position at the time you were expelled. Do you know what his position in the Party now is?

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The Witness: At the time we went to Cleveland
11399 he told me he was to become the state chairman of
the Wisconsin Party. In fact, he told me that the reason we didn't come together to Cleveland was that he was coming in from Milwaukee where he had a meeting on Friday night with the state committee there. So he was coming from Milwaukee and I was coming from New York, and we met in Cleveland.

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11402 Q. Do you know whether or not any steps were taken toward providing these hand mimeograph machines to Communists in other parts of the coun-
11403 try? A. Yes.

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Q. I direct your attention to 1949. Was there a National Committee plenary session held? A. Yes.

Q. Where? A. It was held at 35 East 12th Street in the Hank Forbes Auditorium on the third floor.

Q. And was Kling still the National Treasurer at that time? A. Mr. Kling in 1949 was the National Treasurer of the Communist Party.

Q. Did he give you any instructions in connection with this matter? A. Yes. When the plenum was over, the following day he called me up on the telephone from the ninth floor to the fifth floor, and he told me he was going to send some people down that I should demonstrate how this hand machine worked. One district organizer after another came down. I recall Ed Starr came down and I demonstrated the machine to him, and I demonstrated the
machine to the district organizer who was at that
11404 time in North Carolina, Bernie Friedlander. I
demonstrated that machine to Comrade Healy, who was up to the plenum from Southern California. I demonstrated that machine to a number of district organizers. Jack Kling told me to give a machine to Illinois and to Southern California, to give samples to them. I told them they were $9 and we had an argument over that. Anyway, I gave Miss Healy and I gave Ed Starr these sample machines. To my understanding, they were to reproduce—

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Q. They want to know how you knew it. A. They were to reproduce these machines in their respective organizations because it had this advantage: You would have dies made in other different places with the aid of which you could manufacture these machines, one. Two, the transportation was a little bit cumbersome. The transportation problem, transporting machines from New York to California or from New York to Illinois. It was more 11405 advisable to build these machines in Illinois and in Southern California.

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The Witness: As far as the New York dies were concerned, Jack Kling, as I said before, told me to preserve these dies in case the national office should decide on its own to make machines. We would have these dies ready and it wouldn't cost additional money.

By Mr. Paisley:

Q. Did you preserve them? A. Yes.

Q. Where were they when you left the Party? A. When I left the Party they were out at the White Plains Road factory.

Q. Were any of these machines sent to any other part of the country? A. Brooklyn purchased ten machines for Texas, and five machines were purchased by the national office and given to Bernie Friedlander, who was district organizer in North Carolina. These machines were given to him. Upstate, which was part of the New York State organization and the upstate area, I know I gave them once 36 machines and once 15 machines. About 41 machines were given to the upstate area, for which 11406 they didn't pay. I raised this question with Bill Norman that upstate did not pay for these machines, and Bill Norman said he would straighten it out with Johnny Noto, who was the Party leader and district organizer in Buffalo.

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11407 Q. Go ahead and tell us what plans you people made for the distribution of these pamphlets that would be made on the machines. A. This was the printing apparatus, the people involved in this phase of the work. We had one person who was in charge of soliciting at the various places where printing material could be placed manufactured on these machines. Such places were solicited. The person who was in charge of this phase of the work was Burl Mikelson.

Q. What was his position in the Party? A. He was section organizer of the distributive trades section, the industrial section of the Communist Party. He concentrated on drugstores and small stores, particularly drugstores where packages could be dropped, where a drug clerk was a Party member, and these packages could be picked up by Party members. These drop places 11408 were in readiness. I saw the list of names that he gave me. He gave me about 25 places. I turned these names over to Hal Simon, who was a member of the state secretariat.

By Mr. Paisley:

Q. Were there any measures taken or plans made for actually hiding out Party members and leaders?

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The Witness: Yes, there were measures taken both on the national level and on the state level simultaneously, and at the same time.

By Mr. Paisley:

Q. How do you know this? A. How? Because the person who was in charge for the national leadership for this phase of the work was Andrew Remes, former state chairman of Wisconsin, who was brought in by the national office to solicit places and evaluate these places for various purposes for the national leadership, and the person who was in charge on the state level was given to me by Carl Reinstein, who at that time was Dennis' secretary, later on treasurer of the Party. Carl Reinstein introduced a fellow to me by the name of Mitch, who made a survey along similar lines soliciting addresses of available places for various purposes, hiding out for an indefinite period of time, for a definite period, and for meeting places.

11409 This person, Mitch, was soliciting these places in New York County, in Kings County, and in the Bronx through the Party organizations. In the course of 1949 I got at least 60 such places already solicited and checked and turned over to Hal Simon, a member of the state secretariat. So, simultaneously with the national office this work was being done.

Q. Under whose supervision did this Mitch work? A. He worked under my supervision. He reported to me, and he gave me the addresses. I made it possible for him to contact various county organizers or section organizers, that he should get their cooperation.

Q. Did you arrange for different types of places of hiding? A. Yes, I spoke about that, places where one could stay for an indefinite period of time, places where one could stay for a specific period of time, weeks or a month, places where you could not stay but you could have a meeting in the morning or the afternoon, where there was a housewife at home and the wife could go out and play for an hour or two and a meeting could take place. Places where there are telephones and there is always a person available to answer a telephone, as a telephone contact place. These types of places were solicited throughout the year 1949.

Q. What did you do with this list? A. This list
11410 was given over to Hal Simon, and it was to become
integrated into this structure.

Q. Was this confined only to the state leadership? A. No. As I stated before, simultaneously Andy Remes was doing it for the national office, and he told me to help him and to introduce him because he was not too well known among second and third layer party leaders in New York, and when "John" comes around that they should give their full cooperation. He went under the name of John.

Q. What did you do about it? A. I informed the county organizers that if John comes around, let's give him your full cooperation because it is an important task that he is trying to carry out.

Q. Do you know how long he was around the New York area? A. He was around for three or four months in New York. That was during the summer time of 1949.

Q. Were any other steps taken for the hiding of Party leaders? Did you ever have any discussion with Bill Norman on the subject? A. That was a different phase. That was a phase of personal security, the question of identity, the question of establishing new identities. I had a number of discussions with Bill Norman and how to safeguard those Party leaders who would be in illegality and in what best way could their personal security 11411 be kept that they not be detected and that they will not be arrested. That was the discussion, about personal security. It was not hiding places.

Q. What did you agree upon? A. We agreed upon this thing, that papers don't mean a thing, paper identification. Identification papers don't mean a thing.

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The Witness: I told Bill Norman that you can have all kinds of papers on you over here. Once they tap you on the back, they know who you are. So the problem is a different one. The problem is to go into a small community where police surveillance is not as sharp as in a big city, establish yourself an identity over there in the course of months, and in case the Party leader will go under- 11412 ground he just goes to this little community under a new name where he has already established friends and he will try to live there; if possible, to establish a little business. So that was the approach he agreed upon, not forged documents and stuff of that sort.

By Mr. Paisley:

Q. What steps were taken, if any, to safeguard the open operating leaders of the Party? In other words, you had an organization in New York which was open, I presume. You had a Party headquarters. A. Yes.

Q. You had people who were known to the authorities as the leaders of the Party. What steps were taken, if any, to safeguard the open activity of the Party. A. To safeguard the open activity of the Party office, for instance at 35 East 12th Street?

Q. That is right. A. In the course of 1949 new iron gates were put inside, a new clock system was put into the building and into operation, certain individuals were given bodyguards. I don't know if this is the thing you have in mind. In order to enable these people to function, in order to enable the offices in the building to function so that you could not break in. Are these the safeguards you 11413 have in mind?

Q. I was wondering, for instance, did you ever have any rotating system so far as personnel was concerned. A. That was a training system, a training system.

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The Witness: This was put into effect in early 1949 while the trial was going on. The rotating system was as follows, that only a part of the operative leadership of the Party was in the building at one time. The other part of the party leadership were told that they should stay away from all contact with the Party. They had only a telephone number to contact once a day or once a week and only to ask if there is any message for this particular individual who was out on this rotating system. By the middle of 1949 this rotating system was practiced because the trial was coming towards an end and we didn't know what would happen in case they would be sentenced, whether there would be also a raid on the Party building. So it was already in practice that part of the leadership, operative leadership, of the Party on the national level, on the state level, and even section organizers were told to stay 11414 away, some of them, for a week and some of them for two weeks. I was out on the rotating system in 1949 on four different occasions. All my personal expenses while out were paid by the Party. I was instructed by Hal Simon not to get in touch with anybody, but once a week to meet him personally because of some of the problems I had at that time in relation to this work. But others were staying away completely, just calling once a week a given number to see whether there was any message for them. If there was none, when their rotating period was over they came back into their party functions.

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11422 Q. Mr. Lautner, did there come a time when you received any instructions from the national leadership of the Party regarding the establishment of radio communications for this underground apparatus which you described?

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The Witness: Yes.

By Mr. Paisley:

Q. What instructions, and who gave them to you? A. During the early summer of 1949 I received a buzz in my office room that a person by the name of John
11423 wanted to see me. I told the receptionist, the switchboard operator, to let the person in. To my surprise, this John turned out to be Andrew Remes, who at that time was the state chairman of the Communist Party in Wisconsin. He told me that he would like to have a discussion with me outside of the building. We walked on to Washington Square and sat down on a bench over there, and he told me he had a number of tasks, and among others one of them was to see to it that steps will be taken in the New York State organization pertaining to radio communication in case the Party is driven underground. He suggested that the state organization should get at least two sets of high frequency radio receiving sets, and he specifically said that SX-43 Hallicrafter receiving set is the most favorable, the best and would suit our purpose

and that I should get such sets for the New York State organization.

Q. Did he tell you where he got his instructions?

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The Witness: He told me that his instructions came from John Williamson. I checked with John Williamson when we got back to the building, and John Williamson said "It is all right." On the basis of that instruction I looked around and in a short time I purchased one such set.

11424 That set was delivered to the Party building, and the set was purchased at a surplus war material and appliance place owned-managed by Lefkowitz.

By Mr. Paisley:

Q. How much did you have to pay for it? A. I paid the wholesale price for that set. That set was turned over to Hal Simon. Hal Simon then installed this set in his own home, where he was to acquaint himself with the operations of this receiving set.

Q. Where did the money come from? A. From Hal Simon.

Q. What was his position in the Party at that time? A. He was a member of the State Secretariat of the Party, labor secretary of the Party.

Q. Were there any further instructions from this man Remes? A. Yes. When I informed Bill Norman of our discussion with Andy Remes, he took me out of the building and we had a long walk where he raised other problems pertaining to communications in general.

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11425 Q. Go ahead and tell what Mr. Remes and you did and what he told you. A. With Bill Norman, I told Bill Norman what we did so far. We discussed the merits and efficiencies of various methods of communication, such as letters sent through the mail, telephone communication, Western Union. Then Bill Norman raised the question about establishing a radio sending apparatus.

At this shop at Lefkowitz place, there were a lot of surplus radio sending sets that were used during the war on ships, and Hal Simon looked these sets over, and he was satisfied that there was an ample supply of these sets around there. Bill Norman said, "If necessary, we will buy a truck and set up such sending apparatus on a truck and then supply it with batteries or whatever is necessary to increase its power." Bill Norman told me to look around in that direction to get qualified help to establish such a set.

Also Bill Norman told me, "Let's make a survey in the Party to find out if we have any ham operators, radio operators, in the Party." Such survey was made, and we found up to the point that I was expelled three such people who had ham licenses from the Federal Communications Commission and were operating such sets.

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11431 Q. Did you give any consideration while you
were discussing this matter and considering it to
11432 regulations of the Federal Communications Commission?

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The Witness: The Federal Communications Commission in our discussions at this stage were not considered.

By Mr. Paisley:

Q. What was John Williamson's position in the Party at that time? A. Labor Secretary of the National Committee and a member of the National Board and a member of the National Secretariat.

Q. Do I understand this was in the late fall of 1949, is that right? A. This was while the trial was going on in 1949, the summer of 1949.

Q. Did you have any discussions with John Williamson about this? A. Yes.

Q. Will you relate that in detail? A. I gave a report to
John. One day after his trial sessions we got into
11433 his car. We went down to Eighth Avenue, around

the Twenties. We got out of the car and we walked up and down about ten blocks up and down, where I gave a report of what we had in mind about radio communications to reach outlying sections and regions of the Party in New York State. I told him what Bill Norman had in mind, and he said, "Well, the problem is a much greater one. The problem is to establish a chain of sending apparatuses so that we can reach as far as the West Coast." That was the problem that he raised with me. Also he said that in New York City proper it is not a problem. The problem is a mobile set whose power could be increased to a point so that it could reach, for instance, Albany or around Albany a similar set that could reach to Buffalo or further down and so out to the West Coast. He said, "Let's get competent advice from Party members who know about this problem and see what organizational steps can be taken after we have a plan in this direction." That was about the gist of our discussion with John Williamson at that time.

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11434 Q. Mr. Lautner, what steps, if any, did you take to recruit radio operators?

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The Witness: As I said before, a survey was made, and to my knowledge we found three people in the Party who were authorized to operate so-called ham radio sending sets. These people were not approached, but we knew about them. Hal Simon knew them.

Q. Did you tell Williamson that?

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The Witness: I told Williamson that, and I
11435 would like to say that Williamson made a remark
that while these sets are useful for a short distance, they are not reliable for the purposes that the Party would need a radio communications system. Williamson also pointed out that radio communication is used if it is

properly handled, if people are properly trained—and here is where the FCC role came in—it takes anywhere from a minute and a half to two and a half minutes to police and detect the possible location of an underground radio sending apparatus. So any communications that would go to such system, such radio system, must be done within a minute and a half, and that these sets should be mobile, they should not be stationary.

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11436 By Mr. Paisley:

Q. Did you, Mr. Lautner, ever participate in any discussions concerning the budget for the Communist Party activities in New York State for the years 1948 and 1949? A. Yes.

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The Witness: The budget reports of the New York State organization were brought into the Party Committee meetings, where it was projected, usually for the early spring fund drives. The budget reports came in at the beginning of the year, in 1948 and the beginning of the year 1949. To my best recollection the budget for 1948 was about a half million dollars for New York State—

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11437 Q. Mr. Lautner, was any part of these budgets allocated for this underground apparatus which you described?

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The Witness: Yes.

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11481 Q. What position did the writer of that article have in the Communist Party of the Soviet Union at the time?

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The Witness: Malenkov was a member of the Central Committee of the Communist Party of the Soviet Union and the Secretary of the Communist Party in the Soviet Union.

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Q. How did you know that he held that position?

11482 A. He was at this conference at Warsaw where the Communist Information Bureau was formed as a representative of the Central Committee of the Soviet Party.

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The Witness: So was Zhdanov, as representatives of the Soviet Communist Party.

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Q. How did you learn this, Mr. Lautner? A. The State Educational Department called a round table conference on this question that was held in the Hank Forbes Auditorium and the reporter at this round table conference was Jack Stachel, who was a member of the National Board of the Communist Party of the United States, where he gave a report of the National Board's estimate of what it means, of what is the implication, what does it mean for such formation whether it is the reformation of the Communist International—

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11483 Q. As I understand it, this is Stachel talking. A. Jack Stachel.

Q. What did he say about it? A. He pointed out who were the Parties that sent representatives to this Warsaw conference, what were the Parties that were represented at this conference aiming to achieve. Were they to achieve the reconstitution of the Communist International, or was this just an organization where representatives of the various Communist Parties who will affiliate to this organization, will they exchange experiences, and opinions that will benefit all those parties represented there. Stachel pointed out that we should not read anything else into the reports about this formation of the Communist Information Bureau and as far as affiliation is concerned, Stachel pointed out that formal affiliation was not necessary for the American Party at this time. He told us that the National Board already had a position and eventually that position was published in the Daily Worker and Political Affairs, that the American Party greeted the formation of the Communist Information Bureau and that same 11484 statement signed by Dennis and Foster made it clear that the American Party will not affiliate to the Communist Information Bureau.

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Q. Did Stachel in this meeting refer to Malenkov? A. He referred to Malenkov, he referred to Zhdanov, and he referred to the leaders of the other Parties that were present at this conference.

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11486 Q. Are you familiar with New Century Publishers? A. Yes.

Q. When you left the Party, what if any was the relationship between the Party and New Century Publishers? A. The New Century Publishers published the official theoretical organ of the Communist Party, Political Affairs, New Century publishers published practically all the Party pamphlets and other publications, small publications.

Q. Where was it published? A. New Century Publishers did the printing at Prompt Press.

11487 Q. Did New Century Publishers have an office? A. Yes. They had an office around 12th Street and Broadway.

Q. Do you know when the publication "The Communist" was changed to Political Affairs? A. It was around 1945.

Q. Who published Political Affairs? A. Political Affairs was published by New Century Publishers and "The Communist" was published by Worker's Library Publishers, the predecessor of New Century Publishers.

Q. Do you know who was in charge of New Century Publishers? A. The person in charge of New Century Publishers was William Weiner and the production manager was Joe Field, Joe Felschen.

Q. Did Weiner have a position in the Communist Party? A. He has his offices at New Century Publishers. In the early thirties, he was the national treasurer of the Communist Party.

Q. Was Felschen a Communist Party member? A. He came in the Party in 1933 in Section 18 when I was section organizer.

11488 Q. What about the other employees of New Century Publishers? A. The employees? Some of them I know personally were members of the Party.

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Q. Who was the editor? A. The editor of what?

Q. Of Political Affairs. A. Political Affairs? Jerome. V. J. Jerome.

Q. Did he have any position in the Party? A. Jerome was the head of the Cultural Commission of the Party's National Committee.

Q. Did the Party use New Century Publishers for any other purpose than publishing Political Affairs? A. Yes. Pamphlets and small books, pamphlets of that sort.

Q. Do you know the manager of the Prompt Press? A. Yes. The manager of Prompt Press was known to me as Red Cohn.

11489 How long did you know him? A. Cohn was a member in Section 18 when I was section organizer there. He lived on the Upper West Side there.

Q. Did you know him after you came back from the war? A. Before.

Q. After you came back from the war? A. Yes. He was manager of Prompt Press. Before the war, Prompt Press was there in the Party Building at 35 East Twelfth Street. When I came back after the war, they had their own establishment on Fourth Avenue near 12th or 13th Street, 12th Street, and Red Cohn was still the manager.

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11490 Q. With reference to International Publishers, when you left the Party, was there any relationship between International Publishers and the Communist Party? A. The International Publishers on Fourth Avenue, headed by Trachtenberg, printed all the books and classics for the Party.

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Q. What position did Trachtenberg hold in the Party, if any? A. Trachtenberg at the time I left the Party was head of the National Review Commission. For many years
prior to that he was a member of the Central Com-
11491 mittee of the Party.

Q. After you came back from the war, you were in the Party about four or five years, is that right? You were in the Party about four or five years? A. Yes.

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11492 Q. Will you please state, Mr. Lautner, what, if anything, was the relationship between the Communist Party and the Daily Worker in the last four or five years of your membership in the Party?

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The Witness: The relationship between the Party and the Daily Worker was as follows: In the course of these five years, the Party was responsible to raise the necessary funds to cover the operations of that paper. At any and
all meetings whenever there were references made
11493 to the Daily Worker, they were made in the form
of "our press." As far as financing it and increasing its circulation is concerned, drives were planned in the Party, in the Party structure as such, from the lowest level, from the branch level up. There were Daily Worker and Worker Press directors. The Daily Worker was published and printed in the Party building at 35 East 12th Street where the Party headquarters were. The editor in chief, John Gates, was appointed editor in chief by the

National Committee of the Party and it was made so in a statement by Bob Thompson in 1947.

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11494 Q. Do you know the name of the corporation or organization that was publishing the Daily Worker when you left the Party? A. The corporation. Freedom of the Press, Ben Davis was president of Freedom of the Press. Ben Davis was a member of the National Board of the Communist Party.

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11496 Q. Do you know to what extent the ninth floor supervised the Daily Worker personnel?

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11497 The Witness: The supervision is of various kinds, political and security supervision. John Gates gave me a list of all the employees of the Daily Worker in early 1949 to have a check on each individual. About a month before I went to Cleveland, he asked me to get that list back to him. The list included not only the editorial workers but also the technical staff that worked in the circulation department on the second floor. It did not include printers, linotypists or this category, just the business office and the editorial offices. The political supervision is done through Daily conferences in the morning. There is a conference room. I was in there a number of times. Exchange of opinions, and representative in this instance John Gates as chief editor and member of the National Board was one way to control political supervision of the contents or quality of the Daily Worker as such. Other supervision I don't know. At national plenums in the thirties I remember where reports were given about the political quality or newspaper stature of the Daily Worker, that type of evaluation. An evaluation on the part of the National Committee.

By Mr. Paisley:

11498 Q. Now, throughout your life in the Party, to what extent did you yourself use the Daily Worker? A. The Daily Worker to me served as a daily guide. Out of the editorials I got the Party line. This was urged upon every Party functionary and every Party member, to read the Daily Worker to know what the Party is doing and what the Party is thinking.

Q. Were you familiar with this publication known as "For a Lasting Peace, For a People's Democracy"? A. Yes.

Q. To what extent did you yourself in your Party work use that paper? A. For a Lasting Peace, et cetera, was the official organ of the Communist Information Bureau and as Party functionaries on the Fifth Floor, it was supplied to us. It was put in our boxes. It was at our disposal to read it and study it. It was supplied to us by the Party itself.

Q. Throughout your life in the Party, were there any occasions to your knowledge that when the position taken by the Daily Worker as expressed in its editorials were in opposition to the positions taken by the Soviet Union—

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11499 The Witness: To my understanding the question was not the Communist Party, but whether the Daily Worker in its writings ever deviated from the position, whatever the position of the Soviet Union
11500 was. It would have been odd if that would happen. It did not happen. However, during the Browder period, when I came out of the Army, still there was a policy of Browder's policies as reflected in the Daily Worker that were later on repudiated by the Communist Party and were not in line with the position of the Soviet Union as to what was their position in the post-war period.

The Daily Worker reflected Browder's attitudes and that attitude was repudiated and the Daily Worker changed its policy to conform with the policy laid down at the reconstitution convention. Outside of that exception, I don't think ever the Daily Worker, as long as I was in the Party, took issues with any position that the Soviet Union had.

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11501 Q. Did you ever see any criticism in the pages of the Daily Worker of the Societ Union or any of the so-called people's democracies?

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The Witness: No, no criticism.

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Q. Would the same thing be true as to the publication known as The Communist and the publication known as Political Affairs?

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The Witness: Yes.

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11506 Q. I direct your attention, Mr. Lautner, to that part of your testimony dealing with your attendance at the National Training School in the early part of 1941. I believe you said that was a fulltime school. A. Yes.

Q. And you had courses on Marxism-Leninism taught by George Siskind? A. Yes.

Q. What problems in Marxism-Leninism did you study in this school? A. In the courses of Marxism-Leninism?

Q. Yes. A. It was a subject matter on which we had about ten sessions, ten full day sessions. The problems that we tackled in this course was, one, to show the effectiveness of social democracy as a leader of the working class struggles. Two, to show the thinking and writing of Lenin based on his understanding of Marxism and how he had applied Marxism to the epoch of imperialism which began about the turn of the Century. Three, how on the basis of Lenin's understanding of Marxism, Lenin fought
11507 and labored for the establishment of a Party of a
new type. The problem was how capitalism in the

epoch of imperialism developed. How monopoly capitalism was growing. To show the ultimate downfall of monopoly capitalism, that it is full of inherent contradictions. We tackled as a problem in Marxism-Leninism the general crisis of capitalism in the epoch of imperialism. We studied under Marxism-Leninism the writings of Stalin, his interpretation as a student, the foremost student of Leninism. We studied his writings and Foundations of Leninism, we studies his Problems of Leninism. We studied his National Question. We studied his statements, reports and speeches on the role of the Party as a force, as a leading political party, the party of the working class. In the main these were the problems that we tackled under this heading of Marxism-Leninism.

Q. How long did this particular course in Marxism-Leninism last? A. About two weeks. It was every-day full day for about ten sessions. These sessions were organized sessions, a class session in the morning, then they broke up into study groups, it had study group problems to solve, problems were posed, and then research in the evening to carry out assignments for next day to write
papers. As we know it in the schools, home work,
11508 to bring in prepared papers, assignments that were
given to each student on some of these problems.
I recall a number of problems that I had to work on. One was to show the fallacy of Kautsky, his fallacy about the United States of Europe. I did research on all the arguments that Lenin used against this Kautsky fallacy, so called, that the United States of Europe is not possible, that it is not progressive, it is reactionary. So research had to be done. We had at our disposal, all the writings, collected works of Lenin, all the writings of Stalin. We had at our disposal the "United Front," all the so-called classics that pertained to this subject matter, Marxism-Leninism. By the way, I want to also say that among the major problems at that time that we tackled under the heading of Marxism-Leninism was "Strategy and Tactics" and the United Front.

Q. Did the role of the Communist Party of the United States come up for discussion in this connection? A. Yes.

Q. What were you taught to be the role of the Communist Party of the United States? A. On the basis of Marxism-Leninism, that was our primary objective in that school to establish what role has this Party to play on the basis of our understanding of Marxism-Leninism and its application to given conditions here because
11509 Marxism-Leninism was told us time and time again
is not a dogma. Marxism-Leninism as a theory is a guide to action. And on the basis of our understanding of Marxism and Leninism—here again I should go a step further—the history of the Communist Party of the Soviet Union was also a problem in this Marxism-Leninism course. We saw how from its very beginning that the Russian Party, the working class party developed, up until the stage that it takes power in 1917 and what are the problems once the Party is in power to cope with a whole series of economic problems, political problems, a party in power, a victorious party. So in the light of all these, we had to draw our own conclusions on the basis of our studies, what the problems of the Party of the United States are in order to achieve socialism, based on our knowledge and study of Marxism-Leninism from these classes. All the stages of development, the strategy and tactics of the Party from time to time in given times and in given circumstances, what will be the conditions that will influence tactical steps in the development of a Party line that will bring us closer to the strategic aims by—

By Mr. Paisley:

Q. What do you mean by Socialism? A. Socialism is the aim of a Party not in power to gain power through the proletarian revolution and through the dictator-
11510 ship of the proletariat and to establish socialism.

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11512 Q. Did you also study in this course on Marxism-Leninism, taught by George Siskind, "The Communist Manifesto"?

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The Witness: Yes.

By Mr. Paisley:

Q. Did you study "Foundations of Lenism"? A. Yes.
Q. "Problems of Leninism"? A. Yes.
Q. "The National Question"? A. Yes.
Q. "Strategy and Tactics"? A. Yes.

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11513 Q. You said you also studied the selected writings of Lenin? A. We had volumes of the Collected Works. We had them at our disposal for research work. We also had the popular editions, so-called Workers Library editions of the writings of Lenin and Stalin and "The Communist Manifesto."

Q. Did they include "State and Revolution"? A. Yes, pamphlets.

Q. Did it include "Imperialism, the Highest State of Capitalism"? A. Yes.

Q. Were these works used in their entirety or just parts? A. All these works in their entirety were at our disposal, and in seeking the solutions to our problems given to us as home work to prepare papers we had to do our research out of these classics, out of these books in their entirety.

Mr. Paisley: Mr. Turner, will you give me Petitioner's Exhibit 149, please?

11514 (Document placed before the witness)

By Mr. Paisley:

Q. I call your attention to pages 142 to 147 inclusive in that book which has just been handed you. By the way, what is the name of the book? Does it have a title? A. "The United Front," by Georgi Dimitrov.

Q. Did you study that book in this course? A. Yes.

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11516 Q. What, if anything, Mr. Lautner, were you taught concerning the world Communist movement?

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The Witness: Marxism-Leninism taught us that monopoly capitalism or imperialism was a world-wide phenomenon, therefore there is need of a world-wide organization, an organization that has ties to successfully cope with this problem and eventually bring about the downfall of monopoly capitalism and imperialism.

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11517 Q. What were you taught, if anything, as to the basic objective of the world Communist movement? A. To bring about the downfall of monopoly capitalism or imperialism, and the United States was looked
11518 upon as the leading imperialist country.

Q. What was to be substituted for monopoly capitalism throughout the world? A. For monopoly capitalism—

Q. What was to be substituted for it? A. A substitute for monopoly capitalism was the establishment of socialism, a socialist economy, based on the strength of the Communist Party, that strength being hegemony over the working class, the Communist Party having allies, such as farmers, having allies among national minorities such as Negroes, the Communist Party neutralizing a large section of the middle class, and the Communist Party succeeded in forcing the government, the United States Government, which government was considered a government of monopoly capitalism, to be a type of government that can not rule with the accepted democratic methods, that it has to resort to extra-legal measures to bring about that kind of situation when the Communist Party could take over, that the head of the working class could take over the political structure in the United States and take over the whole economy of the United States.

Q. In what category was the United States Government placed in these teachings? A. As the Government of the leading imperialist country.

11519 Q. Up to the time you left the Party were any of those doctrines or teachings repudiated in the Party, to your knowledge?

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The Witness: Marxism-Leninism as such was never repudiated in the Party. During the Browder period what happened, the deviations from true Marxism-Leninism, the effort on the part of Browder to revise Marxism-Leninism was condemned, and Browder was expelled because of these efforts on his part.

By Mr. Paisley:

Q. I mean after the reconstitution of the Party on a Marxism-Leninism basis, were these objectives ever repudiated to your knowledge? A. No.

Q. Were you taught what role the Communist Party of the United States would play in the event of an armed conflict between the Soviet Union and the United States?

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The Witness: In the study of Marxism-Leninism on the problem of imperialism this question came up, and we studied the question of just wars and unjust wars, we studied strategy and tactics.

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11520 The Witness: In the school I came there to study and work. That was my assignment. On the basis of the material that was given to me, on the basis of the instructions in the form of lectures that were given to me, I had to come to certain conclusions. These conclusions were put in the form of papers. I had to report, and my report was accepted. No exception was taken by the instructor to it.

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The Witness: On this particular question my conclusion was that in the case of a war between an imperialist country and the socialist country, as Communist leaders and as Communists we would support the socialist country against the imperialist country. Specifically, in case of a war between imperialist and socialist countries, between the United States and the Soviet Union, I would support the Soviet Union against the United States. That was my
conclusion and it was not repudiated or rejected,
11521 on the basis of my knowledge and study of Marxism-Leninism.

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11524 Q. Let me ask you, Mr. Lautner, were those
pages, the 167 and 168, from the "History of the Communist Party of the Soviet Union," referred to in this course that you took? A. Yes.

Q. By your instructor? A. Yes.

Q. I show you from Petitioner's Exhibit 343, being "Strategy and Tactics of the Proletarian Revolution," put out by the International Publishers. I direct your attention
to pages 94 and 95 and 96, and I will ask you if
11525 that portion of this document was used as a textbook in this course. A. Yes.

Q. In taking the course taught in that class by Sam Carr, how long did that course take? A. We studied The History of the CPSU. The instructor of that subject matter was Sam Carr. We had five sessions, one week.

Q. Did you use the entire book or only parts of it? A. The entire book.

Q. Did you have any supplementary material? A. Supplementary material, we went back to the Collected Works of Lenin, we went back to Stalin's "Foundations of Leninism," to "Problems of Leninism," "The National Question," to "Communist Manifesto," and all materials pertaining to Marxism-Leninism, because, as we learned, the history of the CPSU was the application of Marxism-Leninism from the birth of that Russian working class party to the point of taking power, the practical application of Marxist-Leninist policies by the Russian Communist Party, how it achieved its aims and its objectives. Therefore, as we studied the chronological history of that growth and development of that Party, we always used as source material the classics, the collected works and writings by Stalin, the Communist Manifesto and all the other material that we had.

11526 Q. Mr. Lautner, during the period from the reconstitution of the Party until your explusion in January 1950, did you do any teaching yourself? A. Yes.

Q. Will you relate to the Panel the extent of your teaching? A. In 1947 I was teaching in about four or five classes, full time classes organized by the Communist Party organized by New York County and the New York State Educational Department. At that particular time these classes were organized to accelerate the struggle for improving the ideology of the membership of the Communist Party, to enable a larger section of the Communist Party, lower functionaries, to be equipped in the struggle against revisionism, and to better acquaint them with Marxism-Leninism. Such classes were organized, and I taught in about three or four of these classes in the year 1947.

Q. Where were the classes held? A. These were party classes, party functionaries, but the classes were held in Jefferson School. One class was held in the Roosevelt Building on 14th Street and Broadway, on Union Square.

Q. Did you ever have a class on 35th East Twelfth Street? A. One class at 35th East Twelfth Street, 11527 which was an evening class. Yes, another class I was teaching in was at 350 East 81st Street, composed of Bakers, members of the Party.

Q. In 1947 where did you hold classes? A. In Jefferson School and in the Roosevelt Building on Union Square and also in the Party Building at 35th East Twelfth Street.

Q. Approximately how many students did you teach?

A. The average number of students in these classes was around 25, 20 or 25.

Q. What was your teaching experience in 1948? A. I had a class out in Brooklyn. I don't know whether it was in 1948 or 1949. In 1948 it could be in the spring that I taught one or two classes.

Q. What subjects did you teach? A. My subjects were Party organization, Marxism-Leninism, and political economy.

Q. What textbooks, if any, did you use?

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11528 The Witness: What texts did we use in these classes? As far as the instructor is concerned, I had all my previous knowledge about source material out of the classics. I want to say this in relation to these classes: these classes were short-term, full-time classes lasting anywhere from a week to two weeks and no longer, if they were full daytime schools. If they were evening classes—some of them were—then once a week for nine weeks. So as far as my subject matters were concerned on each subject matter I didn't have more than two sessions. What can you give in two sessions to a class on a subject matter?

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The Witness: So my problem was to give as many keys as possible to the student, where to look for, where to find material pertaining to that subject matter. After I gave a general picture of the subject matter, after I acquainted them with one subject matter, then we gave reading material and urged these students to do further study. Now that we had equipped them with the general picture on the subject and told them where the source material was, we
11529 urged them from then on that either they should study individually or they should form groups around themselves or they should try to establish classes once a week on a branch level. The time limit didn't allow us to go into a thorough study of each of these subject mat-

ters. However, the source material, all the classics in form of pamphlets were given to them and was available to them. We had it there at the classes. We gave them home work on it. We had maybe two sessions on the subject matter. It was a short term school and not as thorough as a national training school would be.

By Mr. Paisley:

Q. Were there other teachers besides yourself? A. Yes. There were six or seven subject matters handled with each class, and as I said, I taught political economy in some and Party organization, democratic centralism, with special emphasis on imperialism and the general classes of capitalism.

Q. Did you teach in substance what had been taught you in the national training school? A. In substance, yes.

Q. Where did you receive these various assignments to teach or lecture? A. From the New York County school commission and from the New York State School Commission.

11530 Q. Who assigned you the subject matter that you were to deal with? A. The curriculum for these classes was worked out by the school commissions, and I want to say that the instructors had at their disposal a library on the fifth floor at the offices of the New York State Educational Department of the Communist Party.

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Q. I show you a document which has been marked for identification Petitioner's Exhibit 369. Do you recognize that? A. Yes.

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11531 A. This is a curriculum for the six-day summer school. It indicates here that in 1947 seven classes were organized by New York County. There is a bibliography of pamphlets here.

Q. Were the students in these classes— A. These were given to the students.

Q. Were the students in the classes which you taught given this sort of document? A. Yes.

Q. Would you say this is representative or otherwise? A. This is the material that was worked up by the New York County Educational Department, and Ben Seminowsky was then in charge of the schools that summer. He was school director of all these classes.

Q. Is this the type of course which you taught? Did you teach in this type of summer training school? A. Yes. Imperialism, the Party theory and organization, strategy and tactics, general crisis, impending crisis.

Mr. Paisley: We offer the document in evidence minus the marks on there.

The Witness: All these subject matters, from the "Introduction" down to "Economic Outlook and Tasks of the Party based on Plenary Reports," comes under the
11532 heading of Marxism-Leninism.

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Q. I now hand you what has been marked Petitioner's Exhibit No. 370 for identification, Mr. Lautner. Have you ever seen that document? A. Yes.

(Document produced and marked for identification Petitioner's Exhibit 370.)

By Mr. Paisley:

Q. Was any use made of it made in the party? A. Yes.

Q. Tell the Panel what use was made of it? A. This outline helped the instructors at Party classes in preparing the subject matter in the course that they taught. The outline was prepared by the National Education Com-
11533 mission. The New York Education Department
reproduced this outline and it was available for all Party functionaries and instructors in classes. We had it in New York State education department, the office of the school commission.

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Q. Isn't there a document known as the "Program of the Communist International"?

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The Witness: Yes.

By Mr. Paisley:

11534 Q. Also a document known as the Zhdanov Report? A. The Zhdanov Report, yes.

Q. They are documents contained in the Communist literature, right? A. Yes.

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Q. The point I am asking you, Mr. Lautner, to your knowledge was the "Program of the Communist International" used in the classes in 1947, '48, and '49.
11535 A. In these classes?
Q. Yes. A. It was referred to. It was not used. It was referred to as reference material.

Q. Why would you be referring to that as late as '47, '48, and '49?

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The Witness: Because the program of the C. I. lays down the strategic aims of the Communist Parties.

By Mr. Paisley:

Q. Did the Communist Party maintain any library facilities, or any headquarters where the students could get this Marxist-Leninist material? A. Marxist-Leninist material was available in the Jefferson library. It was available in book stories, where it was purchasable at 15 or 20 cents a pamphlet, at 35 East Twelfth Street or at the Jefferson School bookstore. To these classes the school commissions brought these pamphlets to them.

Q. What was that 35 East Twelfth Street? A. That was the headquarters of the Communist Party.

Q. Who was the head of the Communist Party School Commission? A. The person in charge of training national cadres was Pop Mindell and later on George Siskind.

11536 Q. Who was in charge of the offices there at 35th Twelfth Street? A. The offices at 35 East Twelfth Street? What offices were at 35th East Twelfth Street?

Q. Do I understand that the Communist Party School Commission had space in that building? A. Yes. In the New York State organization the head of the school commission was Alberto Morrow. During 1947-48 in New York County the educational director was Theodore Bassett, and then Monsieur Seminowsky was the school director of these classes.

Q. Were you ever in this headquarters building at 35th East Twelfth Street? A. My office was right next to the Educational Department where the school commission had its library, right next door to me?

Q. Was that where Alberto Morrow had its office? A. Yes.

Q. What was available to the students there? A. That library was for the use of instructors and those functionaries who were doing educational work.

Q. What was available to you instructors there in that place? A. All the classics, all the material, all material 11537 pertaining to any of the subject matters that were taught in these schools. This school commission supplied all these materials and texts for the instructors to enable them to carry out their functions as instructors.

Q. Is that where the outlines such as you have before you there were prepared? A. Yes. This outline was remimeographed by the New York State organization. The outline that you have there was prepared by the National Educational Commission, the National School Commission.

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Q. I show you Government's Exhibit 142, being a document called "Why Communism?" by M. J. Olgin. Are you familiar with that work? A. Yes.

Q. What is the extent of your familiarity with it? A. Away back in 1934-35, while I was section organizer—

I am not exact about the year—we already had "Why Communism?" in West Virginia. It was a pamphlet to popularize the aims and objectives of the Communist Party in plain, popular language.

Q. To what extent was it distributed throughout the Party? A. We were selling it in the Party. We had 11538 it in our literature departments in the Party organization.

Q. Who was M. J. Olgin, if you know? A. M. J. Olgin was the editor of the Morning Freheit.

Mr. Paisley: Give me Exhibit 335, please.

By Mr. Paisley:

Q. I show you a pamphlet marked Petitioner's Exhibit 335, being a document entitled "Mastering Bolshevism," by Joseph Stalin, published by the New Century Publishers. Are you familiar with that? A. Yes. We were selling it in the Party organization. I sold myself a lot of these in West Virginia.

Mr. Abt: What exhibit number is that?

Mr. Paisley: 335.

Mr. Marcantonio: When and where did he say he was selling these?

The Witness: West Virginia.

Mr. Marcantonio: When?

The Witness: 1939, '40, '38.

By Mr. Paisley:

Q. Have you yourself read it? A. Yes, and in my capacity as a Party functionary I urged others to read it.

Q. Did you study it in the national training school? A. Yes.

Q. Was it still in use in the teaching of Marxism-11539 Leninism when you left the Party? A. I don't know. I wouldn't know.

Q. Did you ever hear it— A. I saw it around. It was available. It was in the library. It could have been sold in the bookstore. I have no recollection of its being in use in 1949. I have no recollection of that.

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11547 Q. Do you know, Mr. Lautner, the extent to which this outline was used? A. After the reconstitution of the Communist Party in 1945 an educational campaign began in the Party to re-educate the Party membership on the true, Marxist-Leninist line and to expose and ferret out revisionism and the National Education Commission, a subcommittee of the National Education Department of the Communist Party, prepared this outline to serve as a guide in this re-education program. This guide was re-mimeographed, reprinted in the bigger districts, and to the smaller districts, the National Education Department supplied these outlines to the instructors. So it was widely used throughout the country wherever the Party was functioning.

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11548 Q. Mr. Lautner, did you use "The United Front" material, that is, Dimitrov's "The United Front" in any of the courses which you taught as late as 1948? A. Yes.

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Q. I am referring, Mr. Lautner, to Exhibit 149, "The United Front," by Georgi Dimitrov, which you had before you yesterday. Did you use that as late as 1948? A. Yes.

Q. For the most part these were speeches made back in 1935, weren't they, approximately? A. At the Seventh World Congress of the Communist International.

11549 Q. Why would you be using that material as late as 1948?

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The Witness: The United Front tactics of the Communist Party were part of the subject matter of Marxism-Leninism, and in class we tried to convey the idea that the Seventh World Congress decisions pertaining to the United Front tactics and Dimitrov's report in no way eliminated or

negated the decisions of the Sixth World Congress but implemented the decisions of the Sixth World Congress in a way to enable the Party to develop a wider base on specific issues. Before the Seventh World Congress we had United Fronts that were based on a narrow concept popularly known as United Front from Below, United Fronts on specific issues, but were elements that were ready and willing to work on specific issues with the Communist movement. In the main it was an effort to increase and to advance the influence of the Communist Parties. This policy, based on the strategy and tactics of the Sixth World Congress, was a failure of the Party in Germany to make headway, the defeat suffered by the German Party, based on the strategy and tactics and the program of the Sixth World
11550 Congress, the failure in China, the failure to build the Red International Trade Union movement, the failure to gain a way or win a way to working classes, the organized section of the working classes from the influence of social democracy, with the result that reaction gained power in a number of countries. Hitler came to power in Germany. The Seventh World Congress devised a new tactical approach in order to achieve the main strategic objectives by developing a program of United Front from below and from above, and also the program of people's fronts and coalitions around a specific issue in the struggle against fascism and in the struggle against war, because fascism was the main danger of war at that time.

This policy of the Seventh World Congress was already in the making at the time Litvinov was in the League of Nations as a representative of the Soviet Union. He labored to develop that kind of United Front, first on relations between countries, the non-aggression pacts. On this specific issue in the struggle against fascism and the danger of war Litvinov tried to get a definition, what is an aggressor, who is an aggressor in the League of Nations, and once that kind of definition was accepted there, on the question of having a definition of who is an aggressor, on that question

to sign non-aggression pacts and mutual aid pacts against
fascism and war.
11551 The Seventh World Congress, Dimitrov's report
there is that link in the whole chain of problems,
with which link you can bring that chain and advance the
strategic aims of the World-wide Communist movement.

So The United Front is not a repudiation of the basic strategic aims of the Communist movement, but as step that will bring closer the realization of that strategic aim. That is my understanding of The United Front, and that is the way we tried to apply The United Front in this country over here.

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Q. Did you teach how this tactical approach which you
have described was to be applied to the Communist move-
ment in this country? A. Yes. We showed in our class that
the United Front in the thirties was around the question
of war and fascism. It was a limited program and not the
full program of the Communist Party. After 1945 there
came a re-evaluation of the world situation. Now
11552 the problem was to find that link in the chain again
with which a new coalition could be developed on a
united front basis, on a minimum program, on a partial program of the Communist International, with which coalition we could go forward to a new milestone, to a new point and gain new adherents to the Communist movement, and when we reached that milestone there would be a new situation, a new realinement of forces, and we would find that new link with which we could go forward again. This link after the second world war was the struggle for peace. The question of peace was the new link. At the reconstitution convention Foster in his report already indicated the direction in which the Party will travel in this postwar period, and Zhdanov's report later on precisely sets the two world camps and the main issue in the coming period, the issue of peace. That is the new link today around which the Party develops its activities to broaden out and to bring about an alinement

on the basis on which it can extend its influence and exert its influence among a broader section of the population of this country.

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11553 Q. Does Marxism-Leninism as you in turn taught it admit strategic changes in Party policy from time to time?

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The Witness: No strategic changes. Those are basic Marxist-Leninist principles. Only tactical applications, tactical changes in order to further, to bring closer the realization of the strategic aims. Those tactical changes did occur and will take place.

Q. Is this Dimitrov's The United Front program an example of tactical change? A. That is right.

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11555 Q. To what extent, Mr. Lautner, are you familiar with a document that is in evidence here as Exhibit 145 entitled "The Communist Party, a Manual of Organization," by J. Peters? I show you the photostat which is in evidence.

(Document placed before the witness.)

The Witness: In the early thirties we sold this pamphlet in the Party. We had a literature department in New York in my section and we sold it to Party members to acquaint them with Party organization. At that time it was a very useful and a very handy little pamphlet. Later on this document was withdrawn from circulation.

Q. About when? A. It was about 1940.

Q. Do you know why it was withdrawn?

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11556 The Witness: It was thrown out of circulation.

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Q. Did you ever have occasion to refer to this book in connection with the courses that you taught? A. Yes. As

I said before, it was a handy book on Party organization particularly, and on Party structure, Party organization, and it was good reference material even in 1949.

Q. Did you know J. Peters personally? A. Yes.

Q. He is the man you succeeded when you took over the review commission in New York? A. Yes.

Q. Do you know when he went back to Hungary?

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THE WITNESS: In 1949 the latter part of May or the early part of June—I don't know the exact date.

11557 By MR. PAISLEY:

Q. Did the Party show him any recognition when he left this country?

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A. The National Secretariat gave a small intimate banquet for him on Fourth Street and Second Avenue in a restaurant that has little side dining rooms. There were about 20 people present.

Q. Were you present? A. Yes.

Q. Can you tell the Panel who else was present? A. John Williamson was there. Gus Hall was there. Jack Stachel was there. Stretch Johnson was there. Betty Gannett was there. May Miller was there. That is about it.

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11558 Q. Mr. Lautner, will you give the Panel briefly a synopsis of the activities of J. Peters as you knew them in the Communist Party from the time you first met him until the time he left and went back to Hungary?

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11559 THE WITNESS: I knew Joe Peters or Steve Miller or Alexander or Goldberg even before I joined the Party. I knew him personally. I met Peters at 258 East 81st Street. At that time he was the National Secretary of the Hungarian Bureau.

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11560 Q. Give Mr. Abt the time. You gave him the place. You are at the beginning now. Give him the time and place. A. In 1927 and 1928 in New York. He was a member of the Editorial Board of the Hungarian Daily Communist Paper at that time. My first work with Peters was in 1930, when I went to the National Training School organized by the National Hungarian Bureau of the Communist Party. In this school he taught political economy, and he was my instructor there.

Q. Did he have any official position in the Party? A. He did. He was business manager of the Daily Worker. That was printed at Union Square at that time. He was a member of the Hungarian National Bureau.

When I became section organizer in New York, at that time Peters was already a member of the National Committee of the Organization Department. In that capacity he came to my section, section 18, on a number of times and he lectured there to Party members. In 1936 when I went to West Virginia—

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11561 THE WITNESS: In 1935 and 1934 J. Peters approached me a number of times and spoke to me that wherever possible I should try to get for him American citizenship papers, or birth certificates. On two occasions I did. I asked him what it was for. He told me that it was easy to obtain American passports on the basis of such papers.

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11562 Q. Do you recall any other activity that he had or was engaged in when he was in the National Organization Department? A. When he was in the National Organization Department at that time I did not know what he was engaged in, but in 1949 in a conversation with him I found out what he was involved in the 1930's.

Q. You can tell what he said?

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11564 The Witness: Peters did say that he was in
charge in the thirties of the Washington under-
ground party. There were two parties in Washington, D. C.,
one functioning openly, legally as the Communist
11565 Party in any other city would, and one party that
was in the government apparatus, and he as a member of the National Organization Commission had charge of this apparatus in Washington.

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The Witness: This discussion took place on a little farm near Rieglesville, Pennsylvania, in 1949, where I had Peters there on instructions of the Party to keep him out of sight when the authorities were looking for him.

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11566 Q. Do you recall whether or not John Williamson made a speech at that farewell banquet for Peters? A. Yes.

Q. Did he at that time say anything about Peters? A. Yes. John Williamson spoke in the name of the National Committee at this little gathering. It was a farewell speech from the National Committee to J. Peters. In his speech Mr. Williamson said that J. Peters was one of the most valuable organizers that the National Committee of the Party had, and in a way we are sorry to see him leave the country, but John said that they felt sure that J. Peters will make his contribution no matter where he will work as a Party leader.

Q. Did Peters have anything to do with the conventions?

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The Witness: I think I brought out in my testimony that in the thirties Peters was security officer at conventions, checking in delegates and seeing that security measures were maintained at national conventions and na-
11567 tional plenums of the Party.

By Mr. Paisley:

Q. When you came back from the war what was Peters' position in the Party? A. When he came back from the war I found Peters in New York County in the capacity of executive secretary.

Q. Did he have any part in the Party after it was reorganized? A. After the reorganization in 1945 he became a functionary for New York State and was head of the State Review Commission at the time I came and took his place.

Q. You relieved him approximately when? A. The summer of 1947.

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11568 Q. Will you tell us what he did? A. He didn't appear at the Party offices any more. He stayed in my apartment for about a month and a half. Then he left my apartment. He went upstate, where about a week or ten days later in Peekskill he was picked up by the Federal authorities. He was released on bail, on bond, and he didn't come around the Party offices.

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The Witness: In the spring of 1948 John Williamson told me to find places where Peters can stay and to take care of Peters' security. I found a place for Peters through an intermediary, through another person, out in the Bronx. Peters stayed in this place for about six or seven weeks. The place belonged to Paul A. Hirsch. He was in communication only with myself, and in the following way:
11569 He sent me a telephone number. This telephone number was in the neighborhood in a candy store where he stayed. It was a pay station, a public pay telephone. I was supposed to call him once a week every Thursday afternoon, sharp at 4:30, at this telephone number. I didn't know where the place was, I didn't know where the telephone number was until later. I was supposed to ring that phone number and when it rang twice, to hang up. Then dial the number again and in this way warn him that the

call was for him and he was sitting there waiting for that call once a week. In our conversation at this particular time he had messages for his wife, and if I had some messages from his wife I gave these messages to him. There was no party discussion or no party business discussed between us.

He was in this place up to the day of the national convention, the second day of the national convention, which was held at Riverside Plaza. John Williamson came to me again with Peters' wife, that Peters wants to move again, to find him another place.

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11585 Q. Have you taught and been taught the meaning of democratic centralism? A. Yes.

Q. Will you tell briefly just what you were taught and what you taught that it meant?

The Witness: Democratic centralism as a concept in the organization is clearly defined in a number of Party documents, Party classics. It pertains to rules and regulations by which the Communist Party governs itself. It is based on a democratic form of organization with a centralized organizational form, a monolithic organization with democratic processes within the organization. Democratic centralism calls for elective bodies from the highest committees all the way down to the lowest organization in which committees are elected. Democratic centralism allows discussion and debate before elections when issues and policies are opened up for debate and discussion. Democratic centralism allows that these discussions culminate in decisions.

The decisions made by the majority are binding on
11586 the minority in the organization, whether they agree
or disagree with it. Once debate is closed and voted upon, the minority must carry out the will of the majority, whether it agrees or disagrees with it. If the minority insists, or if those who disagree with the policies insist on carrying on further debate, under the rules of democratic centralism that is a disruptive activity subject to Party decisions. Democratic centralism also embodies the nature

of the structure of the Communist Party organization. As I said before, democratic centralism is defined in a number of the classics, like the "History of the CPSU," the Program of the C. I., and even elaborated on in articles by Party leaders. I recall John Williamson had an article on Party organization and democratic centralism was also touched on in that article, somewhere around 1946, I think.

Q. To what extent, according to your observation, were these principles followed after the reconstitution of the Party? A. These principles in general were adhered to.

Q. Were they in effect when you left the Party? A. Yes.

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11587 Miss McHale: If the minority, hypothetically, persists in their point of view in the democratic settlement of problems, what happened?

The Witness: They will be branded as factionalists and anti-Party elements who do not abide to the principles of democratic centralism of the Party and to be against the principles of democratic centralism.

Q. And would that result in disciplinary action? A. Definitely. There are ample examples in the 1930's in the Russian Party and in the American Party, too, who disagreed with the Party policies, aired their opinions and they found themselves outside the ranks of the Party. I think I mentioned in my testimony, for instance, Wischnak, who was business manager of the Daily Worker, during the Hitler-Stalin Pact period. He disagreed with the Party policies at that time. He was expelled from the Party. There was Casey, who was city editor of the Daily Worker at that time and he was also expelled from the Party. Max Bedacht, who had political differences with the Party, was also expelled, a former member of the Central Committee, and general secretary of the International Workers Order. He was removed from that organization and he was expelled. Francis Franklin, who after the reconstitution of the Party disagreed with certain policies, was expelled as a disruptive element, violating the principles of democratic centralism. There are numerous examples like that.

11588 By **Mr. Paisley**:

Q. Would Browder be an example of it? A. Browder is also an example, because Browder had his own political line and he didn't agree with the policies of the reconstituted Communist Party and eventually about a year later after the reconstitution of the Communist Party in 1945 he was expelled from the Communist Party.

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11589 Q. I read from page 198 of the "History of the Communist Party of the Soviet Union," and I want to ask you a question:

"The Sixth Congress adopted new Party rules. These rules provided that all Party organizations shall be built on the principle of democratic centralism. This meant (1) that all directing bodies of the Party from top to bottom shall be elective."

How did that work in practice in selection? A. In a convention of the Communist Party a presiding committee is elected that rules the convention before the new incoming national committee is elected. As far as my experience is concerned, I was on this presiding committee of the 1940 National Convention. This convention took place at St. Nicholas Palace, and the presiding committee met in a small room in the back of the balcony. At the first session of this presiding committee Browder came in with a preferred list of who will be on the new National Committee, who will be proposed by the presiding committee for the incoming National Committee. He left one name off. The person whose name was left off was Clarence Hathaway, who was at that time the editor-in-chief of the Daily Worker. He explained to the presiding committee that there are well-founded reasons why Hathaway shall not be
11590 elected to the Central Committee or the National Committee. He didn't elaborate. That list was pre-

sented to the convention. Prior to presentation to the convention, various delegations, big states by themselves, smaller states grouped together, assembled and went over this list which was supposed to be presented to the whole convention by the presiding committee, and delegations that way first voted on that list. When the presiding committee brought this list of nominees to the full convention they already came in with the comment that most or all of the state delegations had already voted upon these, therefore this is practically the unanimous wish and will of the convention delegation as a whole, this list of proposals that the presiding committee was bringing in. However, the floor is open for additional nominations.

Before the whole convention would vote on the candidates, state delegations or groups of state delegations vote again on the proposals, and then it is brought back into the convention and finally the convention puts its approval on the incoming National or Central Committee.

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11591 Q. Did you ever know of an instance when a full slate was rejected? A. Oh, no.

Q. Now I call your attention to the third paragraph on that same page, quote: "That there shall be strict Party discipline and subordination of the minority to the
11592 majority."

You have already explained what that meant to the Panel, and you have given certain instances where this discipline was applied.

The fourth paragraph reads: "That all decisions of higher bodies shall be absolutely binding on lower bodies and on all Party members."

I believe you said that up to the point of decision there can be discussion, but after that no discussion, is that right? A. That is right, on policy questions. All policy questions emanate from the governing body of the Party, and if the Governing body, the National Committee, initiates further discussion on any policy, then discussion is allowed. Otherwise, not.

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11594 Q. Did you know Gerhard Eisler as a Communist International representative?

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11595 Mr. Paisley: It is already in evidence not only through this witness but through others what this man Eisler was.

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11597 Q. Did you observe any activities on the part of Gerhard Eisler after 1945 in Communist Party Affairs and if so, what did you observe? A. The New York State Party organization organized a meeting under the auspices of the New York State Educational Department.

This meeting was held in the Hotel Diplomat. The 11598 hall was rented by the organization, May Miller, the Assistant Secretary for this meeting. At this meeting, Bob Thompson, the State Chairman of the New York Party, spoke, and Eisler also was one of the speakers at this meeting, where he spoke about the situation in Germany and the problems of the German Communist Party in East Germany and the problems of the Communist Party in West Germany. That was the topic of his discussion, and this was definitely a party affair.

There was another occasion. I mentioned the fact that an affair was given in a smorgasbord place on Broadway and 55th Street, a sub-basement like hall where Eisler was one of the speakers, with Eugene Dennis and other speakers there. This affair was under the auspices of the Civil Rights Congress with which the Party worked in very close relationship.

I saw him in the Party building once. I don't know what business he was transacting there. Outside of that, I didn't observe anything about Eisler.

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11601 Q. Mr. Lautner, based upon your experiences in the Party, what you taught and what you in turn taught, and your conversations and contacts with the leaders of the Party in the United States, how did you yourself regard Eisler in so far as authority in the Party is concerned after 1945?

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11602 THE WITNESS: Eisler was a leading Communist functionary whose opinions were highly authorized opinions. Whether he was the representative of the CI after 1945 or representing anybody outside of the U. S. Party, I don't know, but his opinions and his authority was respected by everyone. The fact that meetings were held for him, the fact that among high Party leaders I never heard anything against Eisler's statute as an international leader of the Communist movement.

By MR. PAISLEY:

Q. Who did you regard as the leaders of the World Communist movement?

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THE WITNESS: The leader of the World Communist movement is the General Secretary of the Communist Party of the Soviet Union, Joseph Stalin.

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11603 Q. Did you have any conversation with Jack Stachel or were you present when Jack Stachel discussed the Zhdanov report?

MR. ABT: I object, leading.

11604 MR. BROWN: Overruled.

THE WITNESS: I think I have already testified that we had a round table conference where the report was given by Jack Stachel on the board's evaluation and opinions and possible decisions pertaining to the formation of the Communist Information Bureau and the Political estimate of Zhdanov in his report. In his report he indicated the political tasks.

By Mr. Paisley:

Q. Where was this meeting, Mr. Lautner?

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11605 The Witness: It was held in the Hank-Forbes Auditorium.

Q. In the Hank-Forbes Auditorium, 35 East 12th Street, New York City? A. Yes.

Q. When? A. When the Communist Information Bureau was formed in 1947.

Q. What did Stachel say about this report in so far as it might affect the American Party?

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Q. What did he say? A. He agreed with Zhdanov's report, and he warned the Party functionaries not to read into the report that which is not there, not to misinterpret that report and not to misinterpret the proposals that Zhdanov had in his report based on his political evaluation at that time, because in the discussion there were questions raised, is this is a reformation of the Communist Interna- 11606 tional again, when will we affiliate, when will the American Party affiliate, and similar questions. I remember the section organizer of the fur industry, Abe Staub, in his remarks very enthusiastically stated, "Well, it is about time that such an international organization is formed again." In his report while Stachel tried to eliminate all this speculation about the information Bureau, he pointed out that Zhdanov's report only reaffirms the line and the policy of the American Party when the Communist Party was reconstituted in 1945, that the American Party under Foster's leadership already in 1945 foresaw the changed political situation after the second world war and adopted its policies already away back in 1945 that conformed the report of Zhdanov.

Mr. Marcantonio: Do you mean "conformed" or "confirmed"?

The Witness: Confirmed by.

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Q. Did anybody else speak about it at that meeting? A. The meeting was held under the auspices of the New York State Educational Department, and Alberto Morrow was the Chairman of that meeting.

Q. What did he say? A. He proposed as Chair-
11607 man of the meeting, after the discussion, a plan, an
educational plan to acquaint the Party member-
ship as a whole with the Zhdanov report. He proposed an educational outline on the basis of which discussions would be held in all sections and branches of the Party on the Zhdanov report.

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Q. I show you Petitioner's Exhibit 344, being an exhibit from Political Affairs entitled "The Resolution of the Information Bureau Concerning the Situation in the C.P. of Yugoslavia." Did you ever read that article? A. Yes.

Q. Did you ever conduct any lectures on the dispute
between the Communist Party of the Soviet Union
11608 and the Communist Party of Yugoslavia? A. Yes,
I lectured in the Hungarian Workers Hall on West-
chester Avenue in the Bronx, the IWO Hungarian Hall.

Q. How did you happen to do that? A. I was invited there by a Party organization, by the Party branch to lecture on Titoism.

Q. When was that? A. In 1949, September, and in 1949 either the end of October or the beginning of November I was directed by the State Educational Department about two months before my expulsion to give a lecture to a section membership in the Bronx, Sofia Naciamento's section, on Titoism, just about a month and a half or two months before my expulsion. These were the two occasions where I lectured on Titoism in two meetings.

Q. Did you have occasion to use that document that you have in your hand? A. There were a number of documents, the charges by the Information Bureau against the Yugoslavia Party, there were statements by the Party leaders about the Yugoslav situation, there was an outline on Titoism that was used as a guide, and this outline was prepared by the State Educational Department, and other material.

Q. In substance what did you state in your lecture about this situation over there?

11609 Mr. Abt: Objection.

Mr. Brown: Overruled.

The Witness: That the Yugoslav Party broke with the principles of Marxism-Leninism, that the Yugoslav Party didn't adhere to democratic centralism, that the Yugoslav Party had no policies separate and apart from those of the united front in Yugoslavia, therefore the Yugoslav Party was not a vanguard party, that Tito and his leadership was a bureaucratic leadership, that Yugoslavia eventually and the Yugoslav Party and its leadership eventually will find itself as the enemy of the Soviet Union. At that particular time the Yugoslav Party challenged the role of the Soviet Union as the leader or the pro-democratic, anti-imperialist war camp as we understood this camp on the basis of Zhdanov's report and on the basis of Party policies.

By Mr. Paisley:

Q. To what extent, Mr. Lautner, did the Party leaders publicize this dispute between the Yugoslav Communists and the Russian Communists?

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The Witness: There were articles in Political Affairs, there were articles in the Daily Worker. As I said, there was an outline made. There was a discussion in the Party on Titoism.

11610 By Mr. Paisley:

Q. Why were the Communist Party members in the United States interested in that subject?

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The Witness: Because anything that affects the leading role that the Soviet Union plays in the anti-imperialist camp, anything that affects or challenges that leading role is a grave concern of any Communist Party, the U. S. Party and the party is based on the proletarian internationalism. The lessons of the Yugoslav Party, what were the mistakes, what were the problems of the Yugoslav Party were a concern of the U. S. Party. Furthermore, coming closer, the Party as such was concerned very much how it would affect this break between the Soviet Union and Yugoslavia, how it would affect that section of the Party membership that was Yugoslav, how it would affect those party members who are Yugoslav in origin. I remember we had this problem in the Yugoslav Workers Home, how to bring about a policy where a Party member will not fight Party member over that. In spite of that, a number of them sided with Tito. These are the factors that raised a lot of concern in our Party about this dispute between the Soviet Union and Tito.

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11628 Q. Mr. Lautner, based on your experience in the Communist Party, on your study of the program and policy of the Communist Party, both in Party schools you attended and those you taught, on your experience with the practical working of the Communist Party, and on your experience as an official of the Communist Party, will you tell the Panel where primary allegiance of the Communist Party members in the United States
11629 lies, if you know?

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The Witness: As a Party functionary, based on my understanding of Marxism-Leninism, the primary allegiance of a member of the Communist Party lies in the defense of the Soviet Union.

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11633 Q. Could nonmembers of the Party attend a national plenum?

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THE WITNESS: To my way of understanding, at no time can anybody attend the national plenum unless that person is invited by the Party leadership. And I attended national committee plenums from '36 on, up until 1941, and I never knew of a single instance where non-Party people were in the national committee plenums.

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11648 Q. Mr. Lautner, do you have before you there a copy of the Constitution as amended in 1948? A. Yes.

Q. I direct your attention to so much of the preamble as reads as follows: "The Communist Party of the United States is a political party of the American working class, basing itself upon the principles of scientific socialism, Marxism-Leninism."

Based upon your experience in the Party as you have detailed it to this Panel, will you state what the phrase "Basing itself upon the principles of scientific socialism, Marxism-Leninism" meant to you?

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THE WITNESS: Marxism-Leninism meant to me the policy and line of the Communist Party, as I testified in this hearing what my understanding of Marxism-Leninism was.

By MR. PAISLEY:

Q. Now I direct your attention to the next paragraph of that preamble, so much of it as reads: "The Communist Party upholds the achievements of American democracy and defends the United States Constitution and its Bill of Rights against its reactionary enemies who would destroy democracy and popular liberties." 11649

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THE WITNESS: On the basis of my understanding of Marxism-Leninism, this paragraph is in contradiction to the basic principles of Marxism-Leninism.

By Mr. Paisley:

Q. Could you reconcile the two? A. No.

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11666 Q. Mr. Lautner, what significance was attached, if any, to greetings of this type sent to Stalin, General Secretary of the Communist Party of Soviet Russia by the Party membership in the United States?

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11667 The Witness: First, it was a registration of the fact that Stalin, General Secretary of the Russian Communist Party, was 70 years old, that the American Party was aware of that fact, and it was a reaffirmation, such greeting was a reaffirmation of the American Party to the loyalty and the acknowledgment of Stalin's leadership of the World-wide Communist movement. That in my opinion is the significance of this telegram.

By Mr. Paisley:

Q. Did you yourself attach that significance to this telegram? A. Yes.

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11671 Q. Let me ask you some questions now, Mr. Lautner, which deal with that subject. How many party leaders were expelled when Browder was expelled? A. From the immediate national leadership the other person who was expelled was Sam Darcy.

Q. Would you tell us how many members of the Central Committee or the National Committee or the National Board, whatever they called it at the time, who were on the Board when Browder was in the Party, leader of the Party, remained on the committee or Board when he left and Foster took over? A. With the exception of three closest co-workers of Browder, namely, Roy Hudson, James Ford and Bob Minor, all the others remained in the national leadership.

Q. After Foster took over what was the attitude of the membership, as you observed it, toward the leaders who had gone along with Browder and who remained with Foster?

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The Witness: Immediately there was some manifestation of dissatisfaction on the part of members in the Party at the state convention already in 1945, at the New York State Convention, that the leadership, those that did remain around Foster, did not sufficiently evaluate their role, 11672 the role that they played in Browder's revisionist policies. So in the 1945 state convention a number of these leaders had to resort to all kinds of tactics over there not to allow that convention to run out of the hands of the leadership. Gil Green, for instance—

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The Witness: Gil Green refused to accept responsibility for Browder's revisionist policies. Bob Minor refused to accept responsibility; Charlie Krumbein, Roy Hudson. These were the Party leaders who spoke at that state convention. Shortly after that convention, a number of groups appeared in various parts of New York City who attacked the Party leadership as tained with Browderism. These groups had names like the New Committee For Publication, a waterfront group named Fore and Aft, a group in 11673 the Bronx known as the P.R. group, the Paul Robeson group, the Francis Franklin group, various groups in New York City and particularly on the West Coast. The heads of these groups were expelled from the Party. That is what occurred in that particular period, and our problem in the Party was to seek out, ferret out all those elements, the anti-leadership attitude in the Party.

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11713 Q. Will you tell us what was the main Party line which the Party emphasized? A. In 1949 the main line of the Party was based on the postwar evaluation of the world relationship of forces as laid down in the 1945 convention, in the reports and the decisions of the Communist Information Bureau, and in the decisions of the 1948 convention. That evaluation centered around two propositions: One that there are the forces of peace and democracy under the leadership of the Soviet Union that struggle for peace and democracy and against war, and then there are those forces that are the forces of imperialism and monopoly capitalism, that breed war, and that the United States is at the head of this group in these two camps and the Party line was—

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11714 **The Witness**: The main line was for the Party to exert all its efforts in the interests of that camp that struggles for peace against monopoly capitalism, for that camp that was headed by the Soviet Union. That was the main line of the Party, and in order to make that line effective, in the meantime to build the Communist Party, to strengthen the membership of the Communist Party and Marxist-Leninist ideology and to recruit new members, to improve the Party as an organization, and in line with this main objective, this main line, this main approach, also to struggle on civil liberties and many other side issues. The main line was the so-called struggle for peace on the side of the camp which was headed by the Soviet Union.

By **Mr. Paisley**:

11715 Q. When you were in the Party, at the time you left the Party was that attitude embodied in any slogan or any tactical approach to the problem?

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The Witness: Yes, it was the struggle against imperialist wars and the building of a united front in this struggle.

By **Mr. Paisley**:

Q. A struggle for peace? A. A struggle for peace against imperialist war. It was a similar slogan to the slogan in the thirties, the United front against fascism and war. After 1945 it was to unite and struggle against imperialist war.

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11743 THE WITNESS: The preamble was a matter of interpretation based on one's knowledge of Marxism-Leninism, and also the revised 1948 constitution with the insertion of a clause there, a self-serving clause, was also quite evident on the question of force and violence—

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THE WITNESS: There was no such clause in the 1945 constitution. It was placed in there by the Party leadership in 1948. In that sense it was self-serving. It was in no Party constitution in 1945 when the 1945 convention adopted the constitution. It was a question of one's poltical understanding and interpretation of the document, the constitution that was adopted at the convention. There were possibly some who took the document seriously, but in Party ranks, the Party leadership ranks, the constitution was just a by-law. The preamble was contradictory, and it was taken in that sense.

MISS MCHALE: What was its purpose, then? You
11744 went to all this trouble. What was its function?

THE WITNESS: The constitution's function? Every organization adopts a constitution.

MISS MCHALE: Oh, yes. That is basic.

THE WITNESS: That is right. The Communist Party adopted a constitution, but the Communist Party was also a Marxist-Leninist organization, and it had its ideology and outlook, and some clauses of that constitution are in conflict with that outlook. That is the point I was making, particularly in the preamble.

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CROSS EXAMINATION

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By MR. MARCANTONIO:

11815 Q. I now show you CP-55 marked for identification. That is the pamphlet entitled "The New York Herald Tribune's 23 Questions About the Communist Party, answered by William Z. Foster." Have you seen this before? A. I have a vague recollection that I have.

Q. As a matter of fact, it was widely distributed in Communist Party circles, was it not? A. This statement first appeared in the Herald Tribune, and then it was reproduced by the Party.

Q. Yes, and widely distributed? A. Well, yes, it was sold in the bookstores and it was sold in the branch sections literature departments, yes.

Q. It is a document by William Z. Foster, Chairman of the Party? A. Yes.

Q. It was authoritative as far as the Party was concerned, was it not? A. Yes.

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11826 Q. This pamphlet which you now have before you, CP Exhibit 56, was a pamphlet distributed among the membership of the Communist Party, by The Communist Party, was it not? A. Yes.

Q. It being by Eugene Dennis—who was he? He was Secretary of the Communist Party, was he not? A. General Secretary.

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The Witness: In 1947-48 the Party was under attack because the Party took a position against the true Truman Doctrine, the Marshall Plan, the American Foreign Policy and the policy of the Government in general on foreign issues. Under this attack on two occasions the Party issued through the General Secretary and through the Chairman a position about the Party in general and answered 11827 some of the questions that were leveled against the Party at that particular time. In that sense it is a self-serving document.

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A. It was a run-of-the-mill pamphlet. When it came out it was available, and three days later it was forgotten. It was not pushed like other Marxist-Leninist material, week in and week out, day in and day out in the Party. It was that kind of document.

Q. You say the document containing questions and
answers, questions put to Eugene Dennis, the Secretary
11828 of the Party, and answers given by Eugene
Dennis, Secretary of the Party, was just gotten out
but then forgotten in two or three days, is that it? A. It was gotten out, it was published, it was sent out to the Party through channels. It was available. But soon after—I don't say three or four days, but soon after it was forgotten. It was not a basic document like the Marxist-Leninist classics. That is what I mean.

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11831 Mr. Marcantonio: Following Petitioner's custom, I now wish to emphasize and respectfully call the Panel's attention to page 3 and page 5. The question on page 3 is, "The first loyalty of the Communist Party is to the Soviet Union and it is only secondarily concerned with American Welfare." I call the Panel's attention to the answer to that question.

"And the question on page 5: "The Party is part of a 'world-wide fifth column' serving the interests of the USSR." I respectfully call the Panel's attention to the answer to that question contained on page 5.

11832 The Witness: Mr. Chairman, on these documents, this document was to equip the Party membership how to answer these questions that are leveled and these charges that are leveled against the Party, and in that sense it is an authorized answer to equip the Party membership in all organizations to answer specific charges against the Communist Party and to answer it in an authorized way by Dennis and Foster. That is the purpose that these two documents serve. I see an inconsistency—

Mr. Abt: Mr. Chairman.

The Witness: —in these answers and Marxism-Leninism as it was taught and was being taught in the Communist Party. There is no consistency between these two positions.

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By **Mr. Marcantonio:**

11833 Q. Did you ever teach these questions and answers that Mr. Foster and Mr. Dennis gave, that they were inconsistent with Marxist-Leninist theory? Did you ever teach that? A. I never used these pamphlets in the school.

Q. Yes, but you knew they were in existence, didn't you? A. I never referred to them in the school.

Q. But you knew of their existence, didn't you? A. They weren't important enough.

Q. I didn't ask you that. Did you know they were in existence at the time you taught school? A. But they have no validity as far as teaching Marxism-Leninism in schools is concerned. This is a tactical situation where the Party has to answer charges leveled against the Party, and these two pamphlets were published in order to equip the Party membership from top to bottom how to answer these charges. That is the value of these two pamphlets.

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11902 Q. Now, as a matter of fact, when you were teaching in these schools in '47, '48, and '49, did not the Communist Party also teach that the first objective should be neither a Communist Government or a Socialist Government, but the election of a people's front government? Did they not so teach? A. No. Because since 1945 we had this new phenomena. A chain of so-called people's governments were established in Poland, in Hungary, in Czecho-
11903 slovakia, in Rumania, in Bulgaria, where the dictatorship of the proletariat, through the ruling party, the Communist Party was a factor. But as far as the—the content was there. The dictatorship of the proletariat. But as far as form was concerned, it was not the Soviet form. It was not the Soviet form that was taught.

Q. I don't know whether you understood me or not. But did you teach, were you not taught, or was it not stated time and time again by leading Communists in the United States—I am talking about men like Foster, and so on—that the first objective should be in the United States neither a Communist movement, neither a Communist Government nor a Socialist Government, but the election of the people's front government. A. It wasn't that way, no.

Q. It wasn't that way? A. What was taught, the united fronts are tactics in furthering the strategic objectives of the Communist Party. Dimitroff's Seventh World Congress Report is that tactical approach, the people's fronts, the united fronts of the working class that leads to working achievement of the dictatorship of the proletariat and leads to working achievement of the Communist Party gaining power.

11904 Q. Were you not taught, and did not the leading Communists state, and didn't you teach that a people's front government would be a coalition government of representatives of the workers, working farmers, Negro people, and progressive small businessmen and professional people? Is that not so? A. I didn't see any Party document where, on the basis in the struggle for peace against the imperialism that there was a people's front government feasible in the immediate future. I didn't see that kind of teaching in the Party.

In fact, when Foster came back from Europe, when he wrote this—

Q. The Twilight of World Capitalism? A. I don't know. When he came back. Not Twilight of Capitalism. He wrote a pamphlet about new democracies in which he made certain references of a transition period. And then I am not exact now in what Political Affairs on certain aspects of theory on this question Foster had to reverse himself. I know that it exists, and I will have to find it, and I will find it.

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11905 Q. Are you familiar with this later book by Foster, The Twilight of World Capitalism? A. '49? I didn't make a study of it. I might have seen it.

Mr. Abt: Will you show it to the witness, please?

(A book was handed to the witness.)

The Witness: I could have read it.

By **Mr. Marcantonio**:

Q. Yes. As a matter of fact, it is an authoritative
11906 presentation of the Party's views on various subjects
of the days of 1949, was it not, written by the Chairman of the Party? A. Yes.

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11907 Q. Now, does not Mr. Foster declare, and I now read from page 125, the beginning of the first full paragraph:

"In order for the people to put the United States firmly on the path toward peace, democracy, and general well-being, the power of the monopolists who dominate our country must be curbed and finally broken, and the people themselves must take political charge, under the leadership of the working class. The struggle for socialism grows inevitably out of the everyday fight of the workers and their allies, especially against the present menaces of economic chaos, fascism, and war. In all good time the American people, on the basis of their existing conditions, will decide how and in what forms they will introduce socialism. The way our Party foresees the possible development of the future is along the following general lines:

"First, we propose the regular election of a democratic
coalition government, based on a broad united front
11908 combination of workers, small farmers, Negroes, pro-
fessionals, small business groups, and other democratic elements who are ready to fight against monopoly, economic breakdown, fascism, and war. This type of united front government could well have behind it an overwhelming majority of the people as it has in other lands."

Is that not the objective of the Party? A. Well, you are quoting now from a book that was written by William Z. Foster in 1949.

Q. Yes. A. Now, you started at: "In order for the people to put the United States firmly on the path"—et cetera, et cetera.

From the same page, the same book, let me also read one sentence, and then I will give you my answer.

"Otherwise, our Party works out its policies and programs upon the basis of its own understanding of the principles of Marxism-Leninism and in accordance with the requirements of the political situation in the United States and the world."

This is what Foster says.

Q. That is before what I have read, is it not? A. Yes.

Q. It is in the previous paragraph, is it not? A.
11909 Yes.

Q. Just—

Mr. Paisley: Please don't interrupt.

Mr. Marcantonio: I was just identifying paragraphs.

Mr. Paisley: You interrupted him when he was trying to answer.

Mr. Marcantonio: Mr. Chairman, excuse me a minute, I am not going to interrupt. I simply want to state that that kind of interruption was just like saying, "On what page are you reading?" I wanted to point out that was the language that preceded the paragraph which I had read.

Mr. Brown: Very well.

The Witness: If you want my answer, in the light of what happened between the Soviet Union, the Bolshevik Party of Russia, and Yugoslavia, this whole thing is poppycock, because it doesn't conform with the facts. It doesn't conform with historical facts.

By Mr. Marcantonio:

Q. Then you disagree with Mr. Foster? A. In the light of what he says over here, what I read here, "Otherwise our Party works out its policies and programs upon the basis of its own understanding," and what happened in Yugoslavia, Tito was not allowed to work out his own policies, well, this whole thesis over here, this whole presentation does not conform with the truth.

11910 Q. And this was written in 1949? A. 1949, after the Tito experience.

Q. And you testified that you were familiar with it, then. Did you at any time in the Party say what Mr. Foster wrote here was poppycock? A. I said I might have read it in 1949. I didn't study it.

Q. So that now you say if you had studied it you would have stood up and said it was poppycock; is that it? A. I would scratch my head and say, "Well, Foster is getting old, or he doesn't know what he is saying."

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11911 Q. I am asking you as of 1949, at the time that you were a member of the Communist Party, this was the Party line, what Mr. Foster wrote, was it not? A. Yes.

Q. Yes? A. Yes.

Q. And then didn't Foster say, as we find here on page 125, continuing:

"This type of united front government could well
11912 have behind it an overwhelming majority of the
people, as it has in other lands. It goes without saying that the election of such a democratic government could only be brought about in the face of powerful and very surely violent opposition from organized reaction. The whole history of the American class struggle, which is full of examples of employer violence in strikes and in other mass struggles, teaches this lesson with unmistakable clarity. The bitter attacks made against the Progressive Party, led by Henry Wallace, during the 1948 elections, gave a sure indication of the frenzy and desperation with which the capitalists would confront a people's united front combination that was strong enough actually to threaten their control of Congress and the Presidency. Obviously, it would be an extremely difficult proposition to elect a truly democratic government in the face of this strong, violent, and reactionary opposition.

"Second, our Party contends that such an anti-fascist, anti-war, democratic coalition government, once in power, would be compelled either to move to the Left or to die."

This was a position of Mr. Foster and the position of the Communist Party; is that not right? A. Well, according to this book, that was the position, and that was the thinking of William Z. Foster. But may I add this: That this
11913 whole thing that you read is highly speculative, and it has no basis and no reality.

Q. Speculative or not, it was the position of the Communist Party; is that not right? A. That is right.

Q. And continuing, and I am just going to read this last portion, Mr. Chairman, at the bottom of the last full paragraph on page 126, Mr. Foster states:

"Only in this way will this country and the world be finally freed of the dangers of poverty, economic chaos, fascist slavery, and murderous war. These steps could be taken legally by a people's government, notwithstanding the opposition of the capitalists, however violent.

"To promote the election of a progressive, coalition government of this type which, by force of circumstances, would move to the Left and, eventually, to socialism, on the general pattern of the European people's democracies, is obviously not to advocate a program of force and violence, the enemies of the Communist Party to the contrary notwithstanding."

A. I said that this is highly speculative, and it just confirms that, because none of the new democracies followed this pattern in their establishment of a people's democracy in Europe, not a single one of them.

11914 Q. So you say Foster is wrong? A. What Foster—

Q. Says here is wrong? A. He is wrong.

Q. Yes. A. He is wrong.

Q. But it happens that Foster is the Chairman of the Communist Party, and he is talking for the Communist Party, and you are not in 1949; right? In writing here Mr. Foster is speaking for the Communist Party as its Chairman. A. When was this published in 1949? I don't know.

Q. I am asking you this question: In this publication he is speaking as Chairman of the Communist Party, is he not?

Whether you agree or disagree with him, the point is, in stating this, he is making a statement as Chairman of the Communist Party, is he not? A. He wrote the book.

Q. As Chairman of the Communist Party? A. Correct.

Q. And he is setting forth the line of the Communist Party? A. The line of the Communist Party is not put forward by Mr. Foster; the line of the Communist Party is put forward by convention, by resolutions. This is Foster's book. It so happens he is also Chairman of the
Communist Party. And I again make references
11915 to a previous book where he had some kind of an
evaluation of the people's democracies that later
on he had to retract. I will find that.

* * * * * * * * * *

11916 Q. I am not asking you about 1952, I am asking
you up to the time that you were expelled from the
Communist Party in 1949, up to that time, did you see
anywhere—and you said at that time you were kept
11917 abreast of all of the Party's literature—did you
see anywhere any criticism or repudiation of the
writings which I have just read to you by Mr. Foster? A. I stated that I did not see it.

Q. You recall earlier in the afternoon you stated that in your teachings and in your talks at various times in the Communist Party you used Dimitroff's the United Front. A. Yes, I made reference to it.

Q. Teachings on the Seventh World Congress? A. Yes, I made reference to it.

Q. Which is now Petitioner's Exhibit 149. You are familiar with this, are you not? A. Yes. It contains the reports and speeches of Georgi Dimitroff, who was General Secretary of the Communist International in the period that he was functioning as a leading functionary of the Communist International.

* * * * * * * * * *

11942 Q. Would you say that the situation subsequent to the 1948 convention with respect to support of the leadership was that of solid support on the part of the membership? A. I would put it this way, that on the basis of democratic centralism there was no outspoken or no frontal attack against the Party leadership.

Q. Do you know of any opposition to the Party leadership? A. Democratic centralism wouldn't allow it.

* * * * * * * * * *

11944 Q. You told us here that you saw Eisler at a banquet which was held at a smorgasbord restaurant, is that right? A. Yes.

Q. What year was that? A. It was in 1949.

Q. This banquet was held about two or three weeks after he came out of Ellis Island, is that right? A. He was out of Ellis Island. I don't know whether it was two or three weeks after. It was shortly after.

Q. Shortly after he was out of Ellis Island. This banquet was held under the auspices of the Civil Rights Congress, you told us? A. Yes, nominally under the auspices of the Civil Rights Congress.

* * * * * * * * * *

11966 The Witness: As a matter of fact, Mr. Chairman, the Party always charged that it was imperialism that breeds war, not the Soviet Union.

* * * * * * * * * *

Q. You testified that in 1947 Peters stayed in your apartment for a month and a half, isn't that right? A. Yes.

Q. And that he went up-state after he left you? A. Yes.

Q. And that he was picked up by immigration
11967 authorities in Peekskill about a week after he left your apartment, is that correct? A. A week or ten days after he left my place.

Q. Did you tip off the immigration authorities? A. I resent that.

Q. Your answer is no? A. No, definitely not.

Q. He was arrested on a deportation warrant, right? A. He was picked up because of his own stupidity. He was traveling around in his car with a license plate that was registered in his own name, which was carelessness.

Q. That was stupid for him to go around in a car registered in his own name? A. If he was in illegality, it was stupid on his part to travel in his own car.

Q. The point of fact is that he was picked up on a deportation warrant, right? A. I don't know on what warrant he was picked up.

Q. He was later deported, isn't that right? A. He was not deported.

Q. He was not deported? A. No.

Q. As a matter of fact, the Department of Justice permitted him to depart voluntarily, isn't that correct? A. Yes, in 1949.

11968 Q. Exactly. A. Yes.

Q. After he was picked up on this deportation warrant he was released on bail, right? You so testified, did you not? A. Yes. He was released on bail, and he remained outside on bail for almost a year.

Q. Exactly. A. Then a deal was made—

* * * * * * * * * *

The Witness: A deal was made on voluntary departure. The deal was made, let's say on a Thursday with the immigration authorities, and on Saturday morning he departed.

By Mr. Marcantonio:

Q. By deal, you mean that the immigration authorities of the Department of Justice agreed to let him depart voluntarily? A. That is right.

Q. Prior to that, prior to departing voluntarily he did not conceal himself. He went around about his business, did he not? A. Yes. He was in the Party building. He had four classes over there for concentration work. After he 11969 testified to the New York grand jury, after he was called in to testify to the New York Grand Jury about the Whittaker Chambers case, he was an unfriendly witness so the grand jury let him go. He was on bail. He was teaching classes in the Party building. He had his office on the ninth floor. Then after this arrangement was made with the immigration department on a Thursday, on a Saturday morning he was gone.

* * * * * * * * * *

11972 Q. Did you attend the special convention of the Communist Party in 1940? A. Yes.

Q. In what month did that convention take place? A. That convention was held in the fall of 1940, and if my recollection is correct it was in the Odd Fellows Temple in East Harlem near the New York Central Railroad Building.

Q. And the purpose of the convention was to disaffiliate from the Communist International, was it not? A. Yes.

Q. You were a delegate to that convention? A. Yes.

Q. At that time you were a delegate from where, from West Virginia? A. From West Virginia. The specific purpose of that convention was to meet in an emergency. You see, we had a convention that summer, the regular convention that summer, and the special convention was called to meet in emergency in the way of the Voorhis Act at that time.

Q. Did you attend a meeting of district organizers that took place prior to the convention? A. Yes.

11973 Q. You were a district organizer in West Virginia? A. Correct.

Q. You testified that the purpose of the meeting was stated by Earl Browder, right? A. That 1940 emergency convention?

Q. Yes. A. Yes.

Q. Browder made the report to the convention on the question of disaffiliation, did he not?

Q. Yes, and he reported at the convention. A. That is right. Whatever decision this convention will take will in no way affect the question of proletariat internationalism, proletariat solidarity and fraternal relationship between the parties. It was specifically called to meet this emergency situation created by the Voorhis Act in 1940.

Q. Is that what he said to the convention? A. I don't know whether he said it in the district organizers' meeting or the convention, I have no recollection, but that was the purpose of that convention.

* * * * * * * * * *

11974 Q. You heard Browder make the speech himself? A. Yes.

Q. You say you don't remember what he said? I show you Exhibit CP-13, which is the report of Mr. Browder, the speech that he made at the convention we are talking about. I show it to you to refresh your recollection. After you have looked at it—and I ask you to take some time to look at it—after you have looked at it I ask you to tell me whether or not that is the speech that Mr. Browder made.

* * * * * * * * * *

Q. Was that Mr. Browder's speech or report as far as you remember? A. In essence, yes.

* * * * * * * * * *

11976 Q. When you testified here to the effect that Mr. Browder reaffirmed the principles of proletarian internationalism at this convention, I am now asking you did you have in mind the following paragraph from the resolution of the convention that Mr. Browder proposed to the convention. I quote:

"That the convention reaffirms the unshakable adherence of our Party to the principles of proletarian internationalism, in the spirit of its greatest leaders and teachers, Marx, Engels, Lenin and Stalin, which offer the only road to the future for suffering humanity."

Did you have that in mind when you made that statement? A. Something to that effect. I also recall that the official organ of the Communist International, the 11977 theoretical organ, was not available for a time and it was reprinted here in the United States under the editorship of Browder for a few issues, and that died out, too.

Q. But it was published. A. Yes.

Q. So it was in Mr. Browder's convention report that this statement was made, isn't that right, the statement I just read? A. Yes, something to that effect, about not giving that it does not mean necessarily cutting off fraternal relationships and ties and giving up proletarian internationalism with the other brother parties, that what this emergency convention meant was the meeting of the emergency by the Voorhis Act that was supposed to go into effect shortly after this convention.

Q. That is the interpretation you placed on Browder's report? A. That is right. That was the sole reason for that emergency convention.

Q. This statement that I read to you, and which I re-read, quotes:

"That the convention reaffirms the unshakable adherence of our party to the principles of proletarian internationalism, in the spirit of its greatest leaders and teachers, Marx, Engels, Lenin, and Stalin, which offer the only road

11978 to the future for suffering humanity"—was in essence the same statement that Mr. Browder made also in the district organizers' meeting, isn't that right? A. What Browder said at the district organizers' meeting was that this convention has one purpose only, to meet this emergency, to meet the Voorhis Act, that the Party will fight against any attempt to be branded as a foreign agent or ties with foreign agency or under the influence of a foreign country.

* * * * * * * * * *

12078 REDIRECT EXAMINATION

* * * * * * * * * *

By Mr. Paisley:

12080 Q. Mr. Lautner, I call your attention to Petitioner's Exhibit No. 376 and direct your attention to page 229, upon which page are greetings from the Central Committee of the Communist Party of the Soviet Union to the Communist Party of the United States of America.

12081 The question is, first, Is that the particular greeting to which you had reference in your testimony which you gave on direct examination?

* * * * * * * * * *

12083 Q. Mr. Lautner, based upon your experiences in the Communist Party of the United States as you detailed them here, upon the instructions you received while in the Communist Party and the instructions which you gave as a teacher in the Communist Party, and based upon your study of Communist Party official publications after you left the Communist Party, will you state to the Panel how you as a student of Marxism-Leninism would have interpreted such a greeting as that while you were in the Party?

* * * * * * * * * *

12087 The Witness: First of all, this is not just a simple greeting. This is a political document of the highest importance. In such a concise way it raises all the key problems that the American Party is confronted with. Namely, it raises the problem of wishing successes to the American Party in the struggle against reaction, which is the fundamental struggle based on Marxism-Leninism. It raises the problem which the American Party suffers from, the ideological strengthening of the Party ranks. It raises the united front tactics that the Party is facing, the struggle for lasting peace between peoples. It raises the question of international solidarity. It raises the question of socialism. It raises the question of friendship between the peoples of the United States and the Soviet Union, which peoples the American Party is supposed to represent. It raises the question of "long live the Communist Party of the United States." In so concise form it raises all the basic questions that the American Party is confronted with at the present time, a very precise and concise document in the
12088 form of greeting the American Party at its 15th Convention. I think is it highly significant. It gives

leadership to the American Party and those who did read this document.

* * * * * * * * * *

Q. Mr. Lautner, how would you have interpreted the words, "struggle against reaction"?

* * * * * * * * * *

THE WITNESS: That is the basic struggle of Marxism-Leninism. Today reaction is represented in the imperialism and monopoly capitalism. It is the basic line of the Party, the struggle against reaction.

By MR. PAISLEY:

Q. How would you have interpreted "ideological strengthening of party ranks"? A. Our Party suffered from opportunist deviations from time to time, and the 1950 Convention was a good time for the Soviet Party to call this deficiency to the attention of the rank and file of the American Party members.

* * * * * * * * * *

12089 Q. How would you have interpreted "struggle for peace, democracy and socialism"? A. That is the new tactical approach since the end of the war, the link in the chain with which this tactical united front is to be built.

* * * * * * * * * *

12091 Q. Do you remember that on cross-examination Mr. Marcantonio read from this book by Foster, "The Twilight of World Capitalism"? Do you recall that? A. Yes.

Q. Do you recall saying in effect that he had to change his position later on, and it was written up in Political Affairs? A. Correct, and I also stated that I will find that Political Affairs.

Q. Did you find it? A. Yes.

Q. I hand you Political Affairs for June 1950. Can you point it out to the Panel? A. I found that article in which

Foster, in an article, "People's Front and People's Democracy," re-evaluates his whole position on the people's front, and where he accepts criticism and then tries to blame other
international leaders that they made a similar mis-
12092 take in the evaluation of the people's front and
what it stands for, and also the people's democracies. I think the article speaks for itself.

Q. Show me the page number there. A. From page 14 through page 31.

Mr. Paisley: We want to offer in evidence this article by William Z. Foster entitled "People's Front and People's Democracy," including pages 14 through 31. We have not yet had it photostated, but I believe it is in process. We will have to take this and have it photostated.

Mr. Brown: Very well.

Mr. Abt: Mr. Chairman, I object on the ground that the document is already in evidence as Petitioner's Exhibit No. 219.

Mr. Brown: The same article?

Mr. Abt: Exactly the same article.

Mr. Marcantonio: Word for word, Mr. Chairman.

Mr. Paisley: Yes. We find, Mr. Chairman, that that was put in by Dr. Mosely. We particularly call to the Board's attention in connection with the witness' testimony about Foster's work "The Twilight of Capitalism"—

Mr. Marcantonio: What is the statement, that he wants what testimony on "The Twilight of Capitalism"?

Mr. Paisley: I am particularly calling this article to the Panel's attention in connection with the witness' testimony
on cross-examination about Foster's "Twilight of
12093 World Capitalism." We call your particular atten-
tion to this article, and we emphasize the first page of the article on page 14.

We emphasize page 15 to "The Significance of Fascism."

We emphasize the section entitled "The Policy of the People's Front" at the bottom of page 18, page 19, and the first column of page 20.

We emphasize the first full paragraph on page 25, beginning "In any case"; also the section entitled "The Question of People's Democracy" on pages 26 and 27, especially the paragraph beginning at the bottom of page 26 and ending at the top of page 27.

The last full paragraph on page 29, beginning "When we say," through the next to the last paragraph on page 30, ending with "violence against the people."

* * * * * * * * * *

12094 Q. I call your attention to page 126 of Communist Party Exhibit No. 58, which is "The Twilight of World Capitalism," by Foster. I direct your attention to the first full paragraph, the first sentence thereof, which reads as follows:

"Second, our Party contends that such an anti-fascist, anti-war, democratic coalition government once in power would be compelled either to move to the left or to die."

Mr. Lautner, as a student of Marxism-Leninism how would you interpret that language?

* * * * * * * * * *

12098 THE WITNESS: Mr. Chairman, yesterday from this "Twilight of World Capitalism" Mr. Marcantonio read a lengthy piece from page 125 and 126 which was supposed to be the position that Foster had in relation to the question of united front, people's front, et cetera. I said that that thing is poppycock. It does not conform with the realities in 1949. It was speculative. It is not the position of the Party.

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JOINT APPENDIX

IN THE

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11,850

COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, *Petitioner*,

v.

SUBVERSIVE ACTIVITIES CONTROL BOARD, *Respondent*.

On Petition to Review and Set Aside an Order of the Subversive Activities Control Board

VOLUME III

(Pages 999 to 1498)

United States Court of Appeals
For the
District of Columbia Circuit
FILED DEC 18 1953
Joseph W. Stewart
CLERK

Part 1

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IN THE

United States Court of Appeals

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SUBVERSIVE ACTIVITIES CONTROL BOARD, *Respondent*.

On Petition to Review and Set Aside an Order of the Subversive Activities Control Board

JOINT APPENDIX

VOLUME III

(Pages 999 to 1498)

12116 **Mrs. Bereniece Baldwin** called as a witness on behalf of Petitioner, having been first duly sworn, was examined and testified as follows:

Direct Examination

By Mr. DeNunzio:

12143 Q. Mrs. Baldwin, did you have a membership card for the years of 1949, 1950, and 1951? A. No, I did not.

Q. Why did you not have membership cards for those years? A. None were issued for those years.

* * * * * * * * * *

Q. Do you know why membership cards were not issued for the years 1949, 1950, and 1951? A. Yes, I do.

Q. Who told you the reason?

* * * * * * * * * *

12144 The Witness: Helen Allison Winter, Phil Schatz.

By Mr. DeNunzio:

Q. What were you told specifically in connection with the non-issuance of cards for that year?

Mr. Abt: May we have the time and place, Mr. Chairman?

Mr. Brown: The time and place? Will you give that, Mrs. Baldwin?

The Witness: Yes. It was in the District Office headquarters the latter part of 1948 when we would usually get ready for registration in the fall of the year preceding, and I was told at that time, in the morning by Helen Allison, and in the afternoon by Phil Schatz, that there would be no cards issued for security reasons.

By Mr. DeNunzio:

Q. For security reasons. You have testified previously that in 1947 you assisted in the registration of membership and the collection of dues both for the District headquarters and the 14th Congressional Club. Where were those membership dues records kept? A. To which do you mean? The 14th or the complete State of Michigan?

Q. The 14th and the State of Michigan. A. They were both kept in my home.

Q. Kept in your home? A. In my home.

12145 Q. Why were they kept in your home?

Mr. Abt: I object.

Mr. Brown: I will allow it. The witness may answer.

The Witness: Helen Allison had told me that they did not wish records, membership records, dues records, kept at the district office because they might be searched.

By Mr. DeNunzio:

Q. When did she tell you that? A. She told me that just prior to my activity in registration. That would be about September of 1947.

Q. Do you know what was happening during that period of time whereby she thought it would be not safe to keep those records in the district party headquarters?

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12146 The Witness: I was told that that would be a security reason, in case the office was searched, because the Mundt-Nixon bill was up at that time and they were frightened that the office might be searched.

Mr. Brown: Who told you this?

The Witness: Helen Allison told me that.

Mr. Brown: When did she tell you that?

The Witness: At the Party headquarters sometime in September of 1947.

Mr. Brown: Very well.

By Mr. DeNunzio:

Q. Did these records remain in your home? A. For a short period until some of them were taken out.

Q. By whom and when were some of these records taken out, and under what circumstances? A. In November, about the middle of November 1947, Phil Schatz came to my home, went through the files that I was keeping there, destroyed all trade union cards and any 12147 lists of clubs that I had, except those which I had not tabulated as yet. He asked that I put those untabulated after they had been recorded in an envelope and keep them for him personally.

Q. Will you tell us who Phil Schatz was? A. Phil Schatz was the organizational secretary in 1947.

Q. At the time of that visit from Phil Schatz did he destroy or take away all of the cards in your possession? A. No. About a week later, ten days at the most, he came back to my home and destroyed all of the registration cards, that is, the individual card which gives the full status of an individual member. He destroyed those, and he also destroyed other records that I had, that is, membership names by the club.

Q. Did any records remain in your possession which had the names of Communists on them, the names of members of the Communist Party? A. No.

Q. Did Phil Schatz at that time tell you the reason for destroying the cards? A. He didn't for those particular people—

12148 Q. Give me the conversation. Did he tell you why he was destroying the records? A. Yes, he did. The number one reason was because they had received a membership card through the mail and the envelope had been opened. He said for security reasons he didn't want any data lying around.

Q. Mrs. Baldwin, during your membership in the Communist Party did you know a person by the name of Bill Allan? A. Yes, I do.

Q. Who is Bill Allan? A. He is a correspondent for the Daily Worker, and he was also Chairman or organizer for the Lower East Side Section of the Communist Party.

Q. Of what district? A. District 7.

Q. Did you attend a meeting in the early part of 1948 where he spoke? A. Yes, I did.

Q. Where was the meeting held? A. It was held at the Civic Center, Detroit.

Q. When was it held? A. About April.

Q. Did you attend that meeting? A. Yes, I did.

12149 Q. What was the purpose of that meeting? A. He
outlined security measures for the Party.

Q. Tell us what he said at that meeting. A. He told us that all clubs should prepare to call emergency meetings and that the section itself should be supplied with mimeograph machines, mimeograph papers, and office supplies, and that no records were to be kept of members within the club or within the section, no telephone calls were to be made.

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Q. Did he state anything as to what was to be done about dues collected, and so forth? A. Yes, he did. He said all
moneys collected from the clubs or moneys raised
12150 by the section should be put in the bank under an
individual's name, not under an organizational
name.

Q. To your knowledge, pursuant to the advice given by Bill Allan, were any steps taken to secure machines and supplies, and so forth? A. Yes, there were.

Q. Tell us what steps were taken. I mean steps that have come to your knowledge, now.

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THE WITNESS: Yes, about June or July of 1948 there was an emergency meeting called at the civic center by the lower East Side Executive Board. It didn't materialize into such a meeting. However, there were several people presented themselves there, and Oscar Rodes gave different members portable or collapsible mimeograph machines.

By MR. DENUNZIO:

Q. What kind of machines? A. Mimeograph machines.

Q. How many machines did you see there at that time?
A. At that time I counted eight.

12151 Q. Eight. Do you know what was done with those
machines? A. To those who were present it was
given, mainly, in the auto workers.

Q. There were more than eight people present at that meeting, weren't there? A. No. Something happened. It didn't materialize.

Q. Can you give us the names of any persons, members of the Communist Party, who at that time received mimeograph machines and supplies?

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The Witness: Sven Falk, Ernie Sorensen, Harry Boskey. That is all I recall at this time.

By Mr. DeNunzio:

Q. Did you receive a machine? A. No, I did not.

Q. Were you told what use was to be made of these portable machines and supplies? A. The members getting them were told that— 12152

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Q. Were you present when they were told? A. Yes.

Q. You were present? A. Yes.

Q. Very well. Will you tell us what was told to these members receiving these machines as to what use they should make of them? A. Yes. They were to be put away and forgotten until they would be needed at any time that we would not be able to operate in the open, to be used for leaflets.

Q. After this meeting in April where Bill Allan spoke, did you attend any other meeting shortly thereafter concerning security measures? A. Yes, I did.

Q. What meeting? Tell us where and when it was held. A. In May of 1948 I attended a lower East Side executive board meeting at the Civic Center at which James Jackson gave us a security outline.

Q. All right. Before you tell us about that, what was the lower East Side section? A. It was a divisional section taking in all of the lower East Side and part of the northeast side membership of the Party.

Q. You state that James Jackson spoke at this meeting? A. Yes, I did. 12153

Q. You were present? A. I was.

Q. Tell us what position James Jackson had in the district party? A. He was the educational director for District 7.

Q. What was the substance of his speech at that meeting? A. He stated that for security reasons the section itself was to be broken down into 50 groups, and that each group would function as a separate club.

Q. Approximately how many clubs did this east side section have? Can you tell us that? Do you know? Did it have many? A. Yes, it had quite a few.

Q. About how many would you estimate? A. About 12 or 14 at that time.

Q. Did you attend any other meetings shortly thereafter concerning security measures? A. Yes, the very next night.

Q. You attended another meeting? A. Yes.

Q. Where was that meeting held? A. That was the 14th
Congressional Executive Board, which was held at
12154 4110 Haverhill, Detroit.

Q. Who spoke at this meeting? A. Peggy Wellman.

Q. What was Peggy Wellman's position in the district party? A. She was educational director for the 14th Club.

Q. Can you give us the substance of her talk that evening? A. Yes. She said for security reasons the lower east side section council had authorized the breaking up of each club into groups of five, and that was done that night.

Q. Mrs. Baldwin, you testified previously that in July 1950 the auto miscellaneous section was dissolved, isn't that so? A. That is right.

Q. Do you know the reason why it was dissolved?

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Q. Were you told by any member or functionary of District 7 why— A. Yes, I was.

Q. —why the miscellaneous auto section was dissolved?
Were you told by anyone why? A. Yes, I was.
12155 Q. Who told you? A. Oscar Rodes.

Q. What was Oscar Rodes' position in the Party at that time? A. He was organizational secretary at that time.

Q. What did he tell you? A. He told me that it was being dissolved for security reasons so that the auto workers could go into the community sections and clubs and lose their identity.

Q. Mrs. Baldwin, as a member of the Communist Party, District No. 7, did you know a member of the Communist Party by the name of Nat Ganley? I think you have already answered that previously. Tell us what position Nat Ganley had in the Party. A. In 1948, in the early spring when the auto miscellaneous was constituted, he became organizer for that section.

Q. Which section is that, please? A. Auto Miscellaneous Section. He also was a correspondent for the Michigan Worker and the Daily Worker.

Q. Shortly after the dissolution of the auto miscellaneous section did you attend a meeting where Nat Ganley presided? A. Yes, I did.

Q. Where was the meeting held and when?

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12156 A. Yes, it was in 1950, the summer, about August of 1950.

Q. Where was that meeting held? A. At Peggy Wellman's home.

Q. Did you attend the meeting? A. Yes, I did.

Q. What was the purpose of this meeting? A. Nat Ganley said that it was called for the purpose of organizing a completely new section called the Upper East Side Section, which would take in part of the Auto clubs of the Auto Miscellaneous Section, which had been dissolved, and would include the community club in that section, within that territory.

12157 Q. Was he to hold any position in this new section? A. Yes, he was to be regional director and we were to have an organizational secretary.

Q. How was the section to be divided? A. All community clubs within that section would carry groups, not over five people, and in the shop branches they would have three members to each group, and no more.

Q. Did he state at that time the reason why there would be such small groups of individuals? A. Yes, it was a security measure so that too many people would not be gathered at one place.

Q. At this meeting were you assigned any position? A. Yes, I was assigned a leader of the group within my immediate territory.

Q. How many members did your group consist of? A. Four; five, with myself, I believe.

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12158 Q. Did you thereafter function as the head of your group? A. Yes, I did.

Q. What were your duties as leader of the group? A. I contacted each individual member because I had been told at that meeting that we couldn't have group meetings. So I contacted the individuals and discussed their problems.

Q. Shortly after your appointment as a group leader, did you attend any meetings concerning the leadership of the Party district? A. Yes, I did.

Q. When and where was the meeting held? A. It was October, I believe the 18th, 1950, Oscar Rodes called me to his home.

Q. Who is Oscar Rodes? Tell us, please, again. A. He was the organizational secretary for this new section, upper east side section.

12159 Q. What transpired at this meeting? A. He told me that the Communist Party was establishing an underground apparatus and would have a reserve leadership, and I was to be one of those reserves, that I was bound to the decision that I must not contact any Communist Party members, attend any Communist meetings, or to contact anyone whi might be labeled a Communist, and that I should wait further orders and directives from some Party leadership.

Q. What was the date that you were told this by Oscar Rodes? A. October, I am sure it was the 18th, 1950.

Q. Have you since that date functioned as a part of the reserve leadership by staying away from Communist Party functions and Party members? A. With one exception, I have.

Q. This last meeting was held in October 1950. Have you since attended any functions or meeting when other members of the Communist Party were also in attendance? A. No, with one exception.

Q. What is that exception? A. That I attended a baby shower for Stephanie Allen in March 1951.

Q. Where was that baby shower held? A. It was
12160 held at Ike Greenberg's home on the West Side of
the city.

Q. Were there other members of the Communist Party present there? A. Yes, there were.

Q. As a result of your attendance in March 1951 at this baby shower did anything happen? A. Just a few days later I was sharply criticized by Oscar.

Q. When you say sharply criticized, tell us exactly what happened? A. He telephoned me and said he was surprised that a person of my integrity had not abided by Party decisions by remaining away from Communist gatherings. He said that he hoped in the future I would abide by that decision.

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Q. After this incident of the baby shower has any member or functionary of the Communist Party contacted you? A. Yes. Immediately following my meeting with Oscar in
his home the latter part of October, I was contacted.
12161 Q. October, what year is that? A. That would be
in 1940, immediately following my meeting with
Oscar.

Q. But before the shower? A. Yes.

Q. You said the baby shower was held in March. A. 1951.

Q. This incident is in April, did you say? A. No, the latter part of October.

Q. 1950? A. Yes.

Q. New tell us what happened.

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The Witness: Did I misunderstand you?

By Mr. DeNunzio:

Q. Yes, you did misunderstand, but give us this incident
that took place in October 1950. A. The latter part
12162 of October 1950 I was called by a member of the
Civil Rights Congress to participate in some typing.

Q. Who was this member of the Civil Rights Congress? A. Esther Boskey.

Q. Spell that name, please. A. B-o-s-k-e-y.

Q. Were you a member of the Civil Rights Congress? A. I was.

Q. When did you join the Civil Rights Congress? A. Some time of 1947.

Q. Will you give us the circumstances under which you joined the Civil Rights Congress? A. Yes. I was approached by Faye Gingold Grossman, the office secretary for district 7, to join this organization, and she gave me an application at that time.

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12163 Q. Let's clear up the record. By whom were you
asked to join the Civil Rights Congress? A. By
Faye Gingold Grossman, the District 7 secretary.

Q. When were you asked to join the Civil Rights Congress? A. Some time in 1947.

Q. As a result of that request did you join the Civil Rights Congress? A. I did.

Q. Did you attend any meetings of the Civil Rights Congress? A. Yes, I did.

Q. On the occasion of your attendance at these
12164 meetings did you see other members of the Com-
munist Party there?

The Witness: Yes, I did.

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Q. Directing your attention to the phone call made by Esther Boskey in October of 1950, will you please tell us the substance of your telephone conversation with her? A. Yes. She asked that I assist at the Civil Rights Congress office doing some typing for George Crockett.

Q. As a result of that request did you do any typing for George Crockett? A. No, I told her I would let her know later, and I checked with Oscar Rodes.

Q. When you say checked, what did you do, actually? A. I went and called him.

Q. Oscar Rodes? A. Yes.

Q. What did you say to Oscar Rodes? A. I asked him if I could assist with this typing, and he absolutely forbade me.

Q. He told you not to? A. Yes.

12165 Q. Did you? A. No.

Q. At this time you were underground? A. That is right.

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Q. After the incident of the baby shower which was held in March of 1951 did any official or leader of the Communist Party contact you? A. Yes, in about June of 1951.

12166 Q. Who contacted you? A. Oscar Rodes contacted me.

Q. What was his position in the Party at that time? A. He was still to my knowledge organizational secretary for the upper east side.

Q. You were still a member of the Communist Party? A. Yes.

Q. Where did he contact you? A. At my home.

Q. What was the substance of the conversation between you and Oscar Rodes? A. He said that he was being forced to move and that he had a large box of Communist Party material and asked that I keep it in my home if I had a safe place to keep it.

Q. He said he had material, a large box of material. A. Yes.

Q. Did he tell you what kind of material it was? A. No, he didn't.

Q. Did he state why he wanted to put this box of material in your home? A. To keep it safe.

Q. To keep it safe. What did you say to him? A. I told him the only logical place I could think of would be in my attic. He said that would be fine.

Q. Did he state to you why it was necessary to
12167 keep this package of material safe.

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Q. Did he tell you what the contents of the material was? A. He wanted it reserved. That is what he said. He wanted it kept safe and reserved in case the home should be searched.

Q. What kind of records were these? Do you know what kind of records they were? A. No, he didn't tell me.

Q. Did he put those records in your home? A. He started to.

Q. What happened? Tell us exactly what happened. A. He went to the car and struggled with this large box and walked a couple of feet and returned to the car and came in very agitated. He said that a big black car had gone by with two gentlemen sitting in it, and he didn't wish to leave the box. It looked suspicious.

Q. So he did not store that package of material your house, is that so? A. That is right.

Q. Now, Mrs. Baldwin, I direct your attention to the
period of time between 1946-1949, when you assisted
12168 district headquarters in registering members and
collecting dues. During that period of time were any changes made in the method of recording membership and dues? A. Yes, there were.

Q. What changes were made, and when? A. Beginning with 1948 we were told that no records were to be kept of individual members—

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The Witness: And that club payments, dues payments, were recorded and handed in to the District 7 headquarters as a whole. In other words, we turned the money in for the number of members paying and the months they were paying for. Once in a while when we would have a recruit we would hand in pertinent information as to the race, the type of work he did, and the age.

By Mr. DeNunzio:

Q. Was a record kept of the membership by names? A. No. We used a score card.

Q. How long was that procedure for keeping records continued? A. Until now, to my knowledge.

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12186 Q. Did you attend a meeting where there was a discussion in regard to the dissolution of the Communist Political Association? A. I did.

Q. Approximately when was that meeting held? A. It was approximately June 1, 1945.

Q. Who was the main speaker at that meeting? A. Carl Winter.

12187 Q. What was the subject of his talk? A. He said that we had been assembled for the purpose of discussing the Duclos article, Jacques Duclos' article, the French Communist Party.

Q. Was there a discussion of the Duclos article at that meeting? A. Yes, there was.

Q. Will you give us the substance of the discussion at that meeting that you attended? A. He wanted the membership to go on the theory that it was not Jack Duclos' own viewpoint—

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12188 Q. Tell us as near as possible what was said at that meeting in regard to the Duclos article. A. Carl Winter said that the words of Jack Duclos in that article were not his own viewpoint but—

Q. When you say "his own"— A. Jacques Duclos' own viewpoint.

Q. But what? A. But it was rather the European Communists' viewpoint of the American Communist Party, and that the Daily Worker in several days hence would carry a resolution on the task of the Communist Party Political Association.

Q. Thereafter did an article appear in the Daily Worker concerning the Duclos article and the next tasks of the Communist Political Association? A. Yes.

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12213 Q. Mrs. Baldwin, I show you Government's Exhibit which has been identified as No. 395, which purports to be a discussion outline of the history of the Communist Party of the Soviet Union, and the Exhibit 395(a), which appears to be a handwritten note addressed to Toby dated 6-20—the other numeral is obliterated—49. I ask you whether or not you have ever seen that discussion outline and this note. Can you identify those two documents for us? A. Yes, I can.

Q. First, what purports to be the discussion outline, where did you see that? A. The stencils were brought in to the District 7 headquarters and left with this note from Ann Cook giving me instructions as to running this off on the mimeograph machine.

Q. So you ran this outline on the History of the Communist Party of the Soviet Union on the mimeograph machine, is that right? A. Yes, I did.

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12214 Q. What use was made of this outline? A. I ran several copies off, and they were to be used in the course on the history of the CPSU. They are instructors' guides and questions.

Q. Instructors' questions? A. Yes.

Q. What use was to be made by the instructors of these questions?

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THE WITNESS: They were used in the discussion of the course.

By MR. DENUNZIO:

Q. During the time that you attended classes in which this course was taught did your instructor use this outline? A. She did.

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12215 By MR. DENUNZIO:

Q. I don't know whether you have testified to this already or not. When was this outline mimeographed by you? A. This was mimeographed by me some time in June of 1949.

Q. For use in classes? A. Prior to the starting of the fall term, yes.

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12229 Q. Did you use any textbooks while you attended the last two schools? A. Yes.

Q. Will you please tell us what textbooks you used? A. We used the main textbook, which was the "History of the Communist Party of the Soviet Union." We also used Foundations of Leninism by Stalin. We used Leninism by Stalin and "What is to be Done."

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12244 Q. Mrs. Baldwin, I show you Petitioner's Exhibit which has been identified as No. 398, which purports to be a pamphlet, booklet entitled "Background of the Berlin Crisis, a Speakers' Guide, Issued by National Educational Department, Communist Party, 35 East 12th Street, New York City," and I ask you whether or not you can identify that booklet for us. A. Yes, I can.

Q. When did you last see that booklet? A. District 7 headquarters.

Q. Did you have a copy of it? A. I did.

12245 Q. Where did you get it? A. It was in my mail box at the headquarters office.

Q. Who put it in your mail box? A. The office receptionist.

Q. For what purpose was it put in your box?

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The Witness: Yes, all speakers' guides and anything of an educational nature was left for the office personnel and all club functionaries, all the leadership. 12246

By Mr. DeNunzio:

Q. What use did you make of this pamphlet? A. This pamphlet was left so that I would have the correct answers for any question that might arise under the Berlin crisis.

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12283 Q. Mrs. Baldwin, as a result of your membership in the Communist Party and as a result of your attendance at Party Schools and various meetings and lectures held by the Communist Party in District No. 7, what is your understanding of the aims and objectives of the Communist Party of the United States? 12284

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The Witness: During the period I was in the Communist Party, the schools I attended, through those I was taught that socialism was the ultimate goal of the Communist Party of America, and that imperialism must be overruled, and since the American imperialists were the leading imperialists, they must be liquidated.

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12296 Cross Examination

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By Mr. Marcantonio:

12440 Q. After October 18, 1950, you stopped being active in the Communist Party, is that correct? A. Yes.

Q. That was a result of a conversation you say you had with Oscar Rodes? A. Yes.

Q. Will you tell us again just what that conversation was, what you said and what he said? A. He told me that the Party was establishing a reserve leadership. In other words, it was an underground apparatus. That they would want a reserve leadership in case the present leaders would be picked up or jailed, and that this reserve leadership would become inactive, and I was one. I was not to contact Party members, not to associate with Party members or to attend any meetings or to associate myself with any one who could be labeled a communist, and that I was to wait further word from the leadership as to my activity.

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12521 Q. All right, coming back to the June meeting, how long did Carl Winter speak? A. I couldn't tell you exactly in minutes.

Q. Do you recall what he said. A. Yes.

Q. Would you say he spoke an hour or a half hour? Can you give us any idea at all? A. Oh, I would say 15 or 20 minutes.

Q. All right. Will you tell us what he said? A. During that period he touched lightly on the Yalta and Teheran agreements, and then he went into the Duclos article, stating that this was not the viewpoint of the French Party, it was not Duclos' own viewpoint of the French Party of the American Party, but it was European Communists' viewpoint of the American Communist Party.

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12690 **John Edward Janowitz** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

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By MR. PAISLEY:

12727 Q. Mr. Janowitz, during your membership in the Communist Party Reliance Club did you pay dues? A. I have paid dues.

Q. How were they collected? A. They were collected by the Secretary of the Club.

Q. When? At the club meetings? A. At the club meetings at different intervals. They were supposed to be collected at every meeting, but sometimes they wouldn't be collected at one meeting and they would be collected at another meeting.

Q. Is this method still in use? A. The method is still in use, except that it is modified from what it was before, where we received a stamp years ago to show our membership paid up. Then in 1949 we did not receive any stamps or anything, or did not receive any books. All we did was receive a receipt for our membership. Later on in 1950 we did not even receive a receipt for our dues.

Q. Do you remember a meeting in the home of Charlie Eimer, secretary of the club, some time around 1949 12728 when the subject of membership dues was discussed? A. That is correct.

Q. Did anybody make any statement about it? A. I believe it was 1949 the discussion was that for security reasons there wouldn't be any stamps given out, that all we would do was pay dues and get a receipt, and when we received the receipt we tore it up. Then later on in 1950 we got away from that, and then it was decided that we would not pay dues even in that manner, we would be paying dues and each member was assigned a number, and the dues would be credited to that number.

Q. Were you given a number? A. I was given a number then. I was given No. 4, I believe.

Q. To whom did you pay your dues after you were assigned a number? A. To Charles Eimer, the secretary of the club.

Q. What kind of record would he keep of your membership? A. That I don't know. All I know is that when we paid our dues, I think it was 20 cents would be reverted back to the club, and from that 20 cents material would be bought, that is, party material would be bought and distributed.

Q. When was the last time you paid your dues? A. I think in September 1951.

12729 Q. For what period of time would that cover? A. We have always paid—I paid most of my dues on a three-month basis. That would probably cover—well, let's say, August, September, and October, probably. I don't remember what it would cover, but I know I paid my dues then.

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12731 Q. Mr. Janowitz, I hand you a document a photostat of which has been marked Petitioner's Exhibit 412, which purports to be an issue of For a Lasting Peace for a People's Democracy, Friday, March 10, 1950. Have you ever seen it before? A. This was given to me by Martin Chancey at Charley Eimer's house at a meeting in April 1950.

Q. You say in April. A. In April, yes.

Q. Did you receive any other document at that time? A. Yes, there was another pamphlet I received at that time.

Q. Do you remember what it was? A. I believe it
12732 was New—I can't remember the name right offhand.

Q. Do you remember seeing the document I place before you? A. Yes, I received that New Times at the same time.

Mr. Paisley: Mark that please.

(Document produced and marked for identification Petitioner's Exhibit 413.)

Mr. Paisley: The issue of New Times has been marked Petitioner's Exhibit 413.

By Mr. Paisley:

Q. Is that your handwriting up there or whose handwriting is that? A. That is my handwriting.

Q. What, if anything, did Chancey say about these documents? A. Just what he always said: Read it, study it, and pass it on.

Q. Did he say that just to you or to others? A. No, everybody. Every time we got any literature that was what was said.

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12755 Q. Mr. Janowitz, do you know a man by the name of Sam Reed? A. Yes, I did.

Q. Did he have any position in the Communist Party out there in Cleveland? A. He attended all the meetings and to me he was known as the labor party chairman of Cuyahoga County, the labor representative of the party in Cuyahoga County.

Q. Of the Communist Party? A. Of the Communist Party. 12756

Q. Do you recall when you last saw Sam Reed? A. The last I saw Sam Reed was June 22, 1951.

Q. Can you recall where it was and the circumstances? A. That was at James Marino's home.

Q. In Cleveland? A. In Cleveland.

Q. Do you recall who were present? A. Present at that meeting was Charles Eimer, myself, James Marino, and Sam Reed.

Q. Was it a party meeting? A. It was a party meeting.

Q. Who was in charge? Who acted as the chairman? A. Sam Reed took charge of that meeting.

Q. Did he make any statements to you men assembled there? A. Yes. He said that the Party was going underground and that any books lying around loose should be put away and stored in storehouses, warehouses if there were too many of them, and that nobody was to call any Party functionaries on the telephone at any time and that no more than two of the group shall meet at any time. He said that if he was to be arrested, somebody else was being groomed to take his position.

Q. Did he say anything about the Daily Worker? 12757 A. Yes. He said that there would be no subscriptions taken or anything, and that the Party members should get active in church groups and everything and just carry on from there as such and not meet more than two at a time, and not to meet at any Party member's homes at all.

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12758 Q. Mr. Janowitz, in view of that objection do you recall whether or not Reed gave you men any reason for this action that was contemplated? A. He said for security reasons the Party was going underground. Those were the reasons that were given.

Q. Have you attended any Communist Party conventions? A. Yes. I attended one in 1950, state convention.

Q. Do you remember about what time of the year?

12759 A. I believe it was about the 17th of December.

Q. 1950? A. 1950.

Q. You say it was a state convention. A. That is right.

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12760 Q. Do you recall any statements made at that time or speeches by Lumer? A. Some reports were given and Lumer gave a report on getting people to subscribe to the magazine, March of Labor. That was to be the number one job to be pushed through the unions and through the plants. There was more action taken there. I and Fred Haug were to represent the Party in going out and getting new members, and that was to be done by the other Party members giving us the names of people who were either interested or sympathetic to the Communist Party, and to go out and speak to them and try to convince them to join into the Party.

Q. You mean that they were wanting you to get new members for the Party or for the labor organization? A. That is right.

Q. For the Party? A. That is right.

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12763 Q. You attended this convention as the alternate in the place of Helen Gallo, did you? A. That is correct.

Q. How did you know how to get to the place where it was held?

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The Witness: At this meeting on Saturday, the day before the convention, no one was given the address of that meeting and no one knew where that meeting was to be held. It was said that for security reasons the address would not be given, that the address would be given only at the time that the delegate was ready to go to the meeting and he would be taken there. The address was not given where this meeting was to be held.

By Mr. Paisley:

Q. Do you recall where it was actually held? A. It was held at 112th and Buckeye at the Hungarian Workmen's Home. 12764

Q. Were you given any instructions at that meeting as to how you were to learn where the place was and how you would get there? A. Saturday night after this meeting I was called by Sam Reed and he said that Helen Gallo, who was the delegate, could not attend, and that I was to meet him Sunday morning at 105th and Superior and he would take me to the meeting.

Q. Was it held on a Sunday? A. It was held on a Sunday.

Q. How long did it last? A. It lasted all day.

Q. About how many delegates were there? A. I would say about 60 delegates were there.

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12789 Q. Do you know a person by the name of Sid Stein? A. Yes, I have met Sid Stein.

Q. When and where did you meet him? A. I met him in the spring of 1951 at James Marino's home.

Q. In Cleveland? A. In Cleveland, Ohio.

Q. What were the circumstances? A. The circumstances were a party meeting was called at Marino's home, and Sid Stein came into that meeting with Phil Frankfeld.

Q. What position did Frankfeld hold in the Party, if any? A. He was the chairman of the Party in Ohio at that time.

Q. Were others present? A. Present were myself, Herbert Hirschberg, James Marino, Sid Stein, Phil Frankfeld. There were others that I don't remember now offhand.

Q. What transpired on this occasion? A. Sid
12790 Stein told us the part that labor had to do as leaders
in labor organizations, that we, regardless of what happened, had our job to do, to go out there and do the job that was given us. He also raised the question that if the locals go what they call the right wing of the IUE we should do everything in our power to go ahead and get into the leadership of these locals; wherever IUE comes in, to strive and try to be elected to the elective offices in these locals in the IUE. He said he had already met some of the locals who had gone to the IUE and talked to these people, and that that was the number one job for the Party.

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Q. What position, if any, did Stein hold in the Communist Party when he was telling you people that? A. Stein was the National Labor Organizer for the Communist Party.

Q. Where did he live, do you know? A. I don't know where he lived.

12791 Q. Was he a Cleveland man? A. To my knowledge, no.

Q. Mr. Janowitz, tell the Panel what the situation was at that time with reference to the IUE and the UE.

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12792 A. There were some locals who had seceded from
the UE and went to the IUE, and Sid Stein said that these Party members who were in the UE when the local had gone IUE should strive for positions of leadership in that local to carry out the Party's duties in those locals.

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12799 Q. Have you ever seen Gerhard Eisler in this
country? A. I have heard Gerhard Eisler speak once at a Civil Rights Congress in Cleveland.

Q. In Cleveland? A. At Cleveland Music Hall.

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12800 Q. Was it in 1950? A. It could be 1949 or '50.

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12812 Q. Mr. Janowitz, the question was, from your experience in the Party during this period of approximately eight years, what did you learn were the objectives of the Communist Party in the United States of America?

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The Witness: My observations were that the Communist Party is the vanguard and that Communism and capitalism can not live in this world, that capitalism must go, that the Communists who are the vanguards of the masses must take advantage of every opportunity that arises to lead the masses, whether it be through depressions or strikes or anything else, to be the leaders of any movement that
12813 unites the masses for that purpose.

By Mr. Paisley:

Q. For what? A. For the purpose of getting rid of the capitalist system in America.

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12818 Q. Mr. Janowitz, what did the Communists teach you that they would do when they were successful
12819 doing away with capitalism in this country? A. The answer is, to replace capitalism it would be replaced with communism.

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Cross Examination

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By Mr. Marcantonio:

12837 Q. The UE at that time was a CIO union, was it not? A. That is right.

Q. At that time it was the firm policy of the UE and the CIO to promote the winning of the war, wasn't it? A. That is true.

Q. As a matter of fact, the UE and the CIO had subscribed to the non-strike pledge for the duration of the war, had they not? A. And that was adhered to.

Q. At the time you became organizer you had no way of knowing whether or not you would ever be invited to join the Communist Party, did you? A. No.

Q. As a matter of fact, you did not join the Communist Party until August 1943, months afterwards? A. That is correct.

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12992 **Harvey M. Matusow** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

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By MR. SHEEHAN

12993 Q. Can you tell the Panel under what circumstances you first became interested in the Communist Party? A. Through my contacts in the American Youth for Democracy, which I joined in 1946 there was some Communist Party members in that club Roosevelt, the American Youth for Democracy, which I was a member of. One Jules Sheik was a member of the Party, and during the late spring and summer of 1947 invited me to join the Communist Party. However, I didn't do so at the time.

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13005 Q. Mr. Matusow, did you have any part in the arranging of meeting places for Party meetings during the time you were a member?

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THE WITNESS: Yes, I did. When I was operating the switchboard at the New York County headquarters of the Communist Party, 35 East 12th Street, on more than one occasion either Ernie Parent, Joe Bucholt, B-u-c-h-o-l-t, who was then one of the State officers of the New York County Youth Commission of the Communist Party, would ask me to contact one of two people, either Art Saha, S-a-h-a, or Jack Walkenstein, W-a-l-k-e-n-s-t-e-i-n, contact either of those two people for the purpose of obtaining their apartment on the East Side of New York for meetings to be held by the Communist Party Youth Commission, and I 13006 complied with that. As I say, on more than one occasion I received the key to either one of those apartments and made arrangements for certain members of the Youth Commission to get to the meeting place. I was also instructed to tell either Mr. Saha or Walkenstein that they were not to be present in their homes during a specified period of time.

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Q. Will you tell us who Mr. Saha was? A. At that time Mr. Saha was the section organizer for the East Side section of the Communist Party, Youth Section of the Communist Party.

Q. Who was Mr. Walkenstein? A. He was the Chairman of the Ray Friedlander Youth Club of the Communist Party.

Q. Do you know how long these meetings took place in this manner while you were a member of the Communist Party?

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13007 THE WITNESS: During the period 1949 and as late as December 1950.

By MR. SHEEHAN:

Q. How do you know that the meetings took place during that period? A. I was at Mr. Saha's place in December of 1950 just after the adjournment of one of these meetings. I was told by Mr. Saha that the meeting had just concluded.

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Q. Mr. Matusow, were you told the reason for keeping these meetings secret?

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13008 Q. Were you told the reason for keeping these meetings secret?

MR. ABT: I object.

MR. BROWN: Overruled. You may answer.

13009 THE WITNESS: Yes. There were certain people who were in youth organizations that were not Communist youth organizations whose identity was to be kept secret, that is, their party membership was to be kept secret. Also, the purpose of the meetings away from Communist Party headquarters was that they did not want to hold these meetings because they felt that there was wire tapping and other means of surveillance on the meetings and that by holding the meeting away from Communist Party headquarters they could keep their business and the identities of those present unknown, in that one case it was told to me, to the FBI.

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By Mr. Sheehan:

Q. Mr. Matusow, did you arrange for meetings in any other manner than the manner which you have described? A. Yes. When I was working for the Communist Party County Headquarters as switchboard operator on more than one occasion I was informed by Mr. Parent, whom I have mentioned before, and Mr. Buchold, to obtain a meeting hall in one of the many places where you could rent meeting halls, such as the Malan Studios, in New York City, for the purpose of a Communist Party meeting, but I was to tell them that it was for some group which never existed, to use some name that we just made up at the time rather than Communist Party Youth Commission or Communist Party leadership meeting.

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13010 Q. When you were working in the New York County office of the Communist Party did you have any knowledge of how correspondence was kept there? A. In 1949 when I was working there a system of burning messages was instituted, in that on every desk in the County office a tin can was kept and any messages that had names, addresses or phone numbers on it were burned right after they were read.

Q. Do you know how long this took place while you were a member of the Party? A. In January 1951 during the hearings for my expulsion from the Communist Party I observed Joe Buchold, who was one of the people conducting the interrogation, burning messages by the same procedure that I have just mentioned. He had a tin can on his desk, and he kept burning them.

Q. Do you know Clara March Lester? A. Yes, I do. She was county membership director of the New York County Communist Party when I worked there in 1949.

Q. Did you have any official contact with her? A. Yes, I did.

Q. Do you recall any specific contact you had with her? A. It wasn't specific. In April 1949 I was at the 13011 switchboard at the County Headquarters. She came down to the office and told me if I had any address books, any names, phone numbers, personal stuff, that I was to burn it or destroy it right then and there, and that we would not carry any names or addresses around with us at Communist Party national headquarters or county headquarters.

Q. Did she tell you why these instructions were given? A. Just that in case I was ever picked up by the police or anybody I would not be in a position to jeopardize any of the other members of the Party and let their names and addresses be known.

Q. Now, I would like to direct your attention back to the year 1948. Was there any change in the organizational setup of your Communist Party clubs at that time? A. Yes, there was. In September 1948 at the Ray Friedlander Youth Club of the Communist Party instructions came down from the county office that we were to establish a group system in the club rather than hold meetings of—I believe our membership was then 36 people, of all 36 people. We would hold group meetings of between three and five people. Each member of the executive committee plus a few designated group leaders would head specific groups, and people in the group would know only their group leader or the other group leaders, but were not to know who the other members of the

Party were who were not serving in the capacity of group leader. 13012

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13013 Q. Regarding the Labor Youth League, do you know when it was organized and the circumstances surrounding the organization?

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The Witness: The Labor Youth League was organized in Chicago on Memorial Day week-end in 1949.

13014 By Mr. Sheehan:

Q. How did you know about the organization? A. I was a charter member of the Labor Youth League. I joined it in June 1949. Prior to that in meetings of the Communist Party Youth Clubs and Youth Sections in New York County we discussed the necessity for building a new Marxist-Leninist youth group along the lines of the old Young Communist League, and the decision we discussed on the basis of an article that had appeared, a report given to the 14th Convention of the Communist Party in 1948. For a period of months from December 1948 to May 1949 we discussed the setting up of a new Marxist-Leninist Youth Organization, which was the Labor Youth League.

Q. Were you told by any officials anything about how the name Labor Youth League was chosen for the organization?

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The Witness: Yes. When I was on the New York State Executive Committee of the Labor Youth League, serving as a literature director, in meetings with Leon Wofsy, who was Chairman of the Labor Youth League, and Chairman of the National Youth Commission of the Communist Party, Julian Lowitt, Lou Diskin, and Joe Buchold, I was told in these meetings that the reason Labor Youth League was chosen as the name rather than Young Communist League because they said if we left the name Communist out of the name of the organization we would be less 13015 subject to prosecution under the Smith Act or any future legislation. They told me at these meetings that the reason we left the name Communist out of it was that we wanted to avoid any prosecution in the future.

By Mr. Sheehan:

Q. Did you hold any offices in the Labor Youth League? A. Yes. I was the first state literature director of the New York State Labor Youth League and served as acting national literature director because they didn't have one, and at that time was on the New York State Educational Committee of the Labor Youth League and the New York State Executive Committee of the Labor Youth League. That was from September 1949 to January 1950.

Q. What were your duties as literature director? A. To disseminate literature put out, distributed by the Labor Youth League to the membership in conjunction with the educational program.

Q. Do you know where the literature came from that you disseminated? A. Yes. The Communist Party Wholesale Book Corporation, its distributing house, at 35 East 12th Street, gave us a $500 credit for literature to be purchased from them, literature from International and New Century Publishers.

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13016 Q. Did you have any duties on the educational
committee of the Labor Youth League? A. Yes, I
did. That was in the preparation of study outlines for the
dissemination of Marxist-Leninist study outlines to
13017 the membership, and my specific duty was to prepare
bibliographies of reading material, such as we
set up a program of a book of the month in the League. In October 1949 our book of the month was the "Twilight of World Capitalism," by William Z. Foster. In November of 1949 our book was "The Tasks of Youth," by Stalin. In December it was "The Young Generation," by Lenin. Those are the only three titles I remember at this time, but that book of the month was carried forward.

Q. Did your duties there have any connection with labor youth league rallies that were held from time to time, if there were any such rallies? A. One in particular was on November 19, 1949, at the Hotel Capitol, in New York, where it was a general membership meeting of the League. We set up a literature table there and sold a great deal of literature to the membership, the three books I have mentioned plus others. At all county and state affairs of the Labor Youth League literature tables were set up ahead of the meeting for distribution.

Q. Mr. Matusow, you testified you were a member of several Communist Party Youth Clubs. You were also a member of the Labor Youth League. Did you hold membership in these clubs and the Labor Youth League at the same time? A. Well, I maintained membership in the Communist Party until January 1951, but when the Labor Youth
13018 League was formed the plan was, and it was carried
out, to disband all the Communist Party youth clubs, transfer all the members of the Communist Party Youth clubs into the Labor Youth League in that same area. The members who were transferred to the Labor Youth League would be assigned to Communist Party community clubs for administrative purposes, that is, dues paying purposes. Their Communist Party leadership and Marxist education was obtained in the Labor Youth League.

Q. Did you in your position on the educational committee receive any orders to carry out policies of the Communist Party?

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The Witness: Yes, we did. At meetings of the executive committee of the Labor Youth League. Sam Engler, E-n-g-l-e-r, for instance, who was the New York State Educational Director of the Labor Youth League, was also a member of the New York State Educational Committee of the Communist Party, and would receive material and information at the New York State Educational Committee of the Communist Party meetings, and disseminate those to the Educa-

tional Directors of the Labor Youth League, who in turn would set up the Educational program as it was set up at the Communist Party. For certain political action Joe Buchold and Lou Diskin, who were the two state leaders of the Labor Youth League, who I worked with, at-
13019 tended meetings of the New York State Executive Committee of the Communist Party, and would receive instructions as to political action to be taken by the Labor Youth League. They would in turn disseminate these instructions to use at the Executive Committee meetings and to the various county organizations.

By Mr. Sheehan:

Q. Do you know if there was any relation between the labor youth League and the Communist Party of the United States?

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The Witness: Yes, there was. The leaders of the Labor Youth League that I have just mentioned, Leon Wofsy, the Chairman of the Communist Party Youth Commission, was chairman of the Labor Youth League. Lou Diskin, who was Chairman of the New York State Communist Party Youth movement, was Chairman of the New York State Labor Youth League. Ernie Parent, who was New York County Youth Organizer for the Communist Party, became the first county organizer of the Labor Youth League. Art Saha, who was New York County Educational Director of the Communist Party Youth group, became the New York County Educational Director of the Labor Youth League. At its inception in 1949 all the leaders of the Communist Party Youth movement in New York just trans-
13020 ferred to the Labor Youth League and held corresponding positions and did receive their instructions from the Communist Party. I also was a member of the Communist Party and just moved to the Labor Youth League. There was no divorcement.

By **Mr. Sheehan**:

Q. You mentioned the World Federation of Democratic Youth previously in your testimony. What relation, if any, did the Labor Youth League have to this organization?

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The Witness: The Labor Youth League was one of the organizations in the United States that was part of the World Federation of Democratic Youth. When I was literature director of the Labor Youth League in New York State we published material that we received from the World Federation of Democratic Youth. We stated that we were affiliated with that organization. Our members wore their buttons—

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13021 **The Witness**: I believe the members of the League did wear the membership button of the World Federation of Democratic Youth.

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13022 Q. The question is: Do you know if the World Federation of Democratic Youth had any relations with the Communist Information Bureau? A. In 1949 at a meeting of the New York State Executive Committee of the Labor Youth League Lou Diskin gave a report on the meetings he had held in Budapest, Hungary, with certain people in the World Federation of Democratic Youth, and also of meetings he held with J. Peters in Budapest in 1949. He had gone there to attend the World Youth Festival, conducted by the World Federation of Democratic Youth, and stayed in Budapest to deliver some reports on the American Youth Movement to that group, to the Cominform representatives, he stated, and later reported back to us that he had held these meetings.

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13023 Q. Did you have anything to do with the sales of the Sunday Worker during your period in the Party, Mr. Matusow? A. Yes, I did.

Q. Will you tell us what your work consisted of in this regard? A. In 1949, from September 1949 I became the press director of the Ray Friedlander Youth Club of the Communist Party, and in that job processed subscriptions to the Sunday Worker that were obtained by members of the club. On many occasions there were members who had bought subscriptions to the Sunday Worker, which were processed by me, who did not want the paper going to their homes. They received the paper by having the subscription sent to the section headquarters of the Communist Party, and on Sunday morning those papers were hand delivered to these individuals.

Q. How do you know the papers were hand delivered to the individuals? A. On more than one occasion I took part in the delivery.

13024 Q. Do you know why they did not want their identity known? A. The reason for it was that they stated that in the event of the passage of the Mundt bill or any legislation against the Communist Party it would be better if their identity were not known, so they could continue to work as Communists.

Q. Do you know how long this method of delivery prevailed while you were in the Party? A. My last personal contact with that method of delivery was in December 1950.

Q. I direct your attention to July of 1949. Will you tell the Panel what your job in the Party was at that time? A. In July of 1949 I was the manager of the Camp Unity bookshop at Camp Unity, in Wingdale, New York.

Q. Were there any Communist Party meetings held there? A. Yes, there were.

Q. Did you attend these meetings? A. Yes, I did.

Q. Were these meetings open to all the personnel at the camp? A. All Communist Party members who were employed at the camp.

Q. Were they open to persons other than Communist Party members? A. No, they were not.

13025 Q. Were any other people besides the guests of the camp present on the camp grounds at any time? A. No.

Q. Were any measures taken to see that no other people were present on the grounds? A. Yes, there were. There was a security setup initiated in the summer of 1949 whereby the male Communist Party members at the camp throughout the night toured regular shifts of guard duty at various places in the camp to see that nobody obtained entrance to the grounds who was not a guest at the camp. The reasons given were that we did not want anybody present who might identify certain people as having been at the camp and obtaining license plate numbers of cars, and the like.

Q. I would like to call your attention to the summer of 1950. Did you at this time contemplate a transfer of your membership between clubs of the Communist Party? A. Yes, I did.

Q. What transfer did you contemplate? A. I had obtained a job in Los Angeles, California, and contemplated transfer from New York to Los Angeles. I had contacted Joe Buchold, who was the acting state chairman of the Labor Youth League at the time, and told him about it, and he informed me that I would have to make arrangements for my transfer at the County Headquarters of the Communist
13026 Party. He accompanied me to the County Headquarters, where I was given a serial number from a dollar bill which I had, and gave that serial number to the security officer there. I didn't know his name at that time. I was told that when I got to California I would contact a certain person, and that serial number would match with one which that person had received and that would identify me as the correct person being transferred.

Q. Do you recall the last time that you had any contact with this procedure for transferring membership?

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THE WITNESS: Yes. In December and January 1950 I had returned from New Mexico. I had never gotten to California. While in New Mexico, I requested that my membership be transferred to New Mexico. I contacted Joe Buchold and asked him whether or not I was to use that same number in getting my transfer to New Mexico. He stated that they were investigating some discrepancies, as he put it, in my activities, and I would just hold on to it.

Q. Did he give any indication that this procedure was still being used at this time? A. He stated it was, but that the number I had, just hold on to the number, and if I were cleared, continue to use it, and if I were expelled
13027 from the Party, as he intimated, forget about it.

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13029 Q. Do you know Mr. Ben Bordofsky? A. Yes, I do.

Q. Who is he? A. He was the manager of Wholesale Book Corporation at 48 East 13th Street. When I knew him he was state literature director of the Communist Party, New York State.

Q. Did you have any business contact with him? A. Yes, I did, when I was an employee of the Jefferson Bookshop and Workers Bookshop and the Camp Unity Bookshop, I was employed by Mr. Bordofsky.

Q. What relations, if any, did the bookshops that you have referred to have to the Wholesale Book Corporation? A. They were run by the Wholesale Book Corporation, and all checks and finance transactions that the bookshops conducted had to be approved and signed by Mr. Bordofsky.

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Q. Before the recess you identified, Mr. Matusow,
13030 a Mr. Ben Bordofsky. Did you ever have any business contacts with him? A. Yes, I did.

Q. Did he ever talk with you regarding how he received books from the Wholesale Book Corporation? A. Yes, he did.

Q. Will you tell us what he said and when and where? A. At the office of Wholesale Book Corporation on more than one occasion Mr. Bordofsky stated he had received copies of the newspaper For a Lasting Peace, for a People's

Democracy; New Times, a weekly news magazine published in the Soviet Union; copies of Soviet Literature, a cultural publication published in the Soviet Union.

Q. What I am getting at is how they were received, that is, by what means they were transported, how they were paid for, if they were, or what.

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THE WITNESS: Mr. Bordofsky stated that these publications were received without cost except for certain duties that had to be paid when they came through customs.

MR. MARCANTONIO: May we have when and where that conversation was held, Mr. Chairman?

MR. BROWN: Yes, surely. When and where was
13031 this held?

THE WITNESS: The conversation was held in the fall of 1949 when I was an employee of the Workers Bookshop and of Mr. Bordofsky. It was held on the fourth floor of the Communist Party headquarters in New York, which was the office of the Wholesale Book Corporation, of which Mr. Bordofsky was the head.

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By MR. SHEEHAN:

Q. Did you discuss the receipt of books from the Soviet Union with any other officials whose duties had to do with the receipt of books? A. Yes, I did.

Q. With whom did you discuss it? A. During the same period of time at the same office, the Wholesale Book Corporation, I discussed the question of books being received from the Soviet Union with Mr. Alexander Trachtenberg, who at that time was head of International Publishers and the over-all boss of the Wholesale Book Corporation and the book shops. He told me that for certain books they had received plates, book plates and English translations of
books from the Soviet Union, as well as on more
13032 than one occasion they had received the actual page
proofs for the pages for a book, which International
Publishers only put the binding on. One he referred to in

particular was the Selected Works of Lenin, one edition of the Selected Works of Lenin.

Q. You said they received the plates and translations, I believe. A. That is correct.

Q. I didn't get this. Did he mention how these were paid for, if they were? A. There again any duties that had to be paid through customs were the only cost for these translations and plates.

Mr. Abt: Mr. Chairman, I move to strike that conversation on the grounds again it is complete hearsay.

Mr. Brown: Motion denied.

Mr. Sheehan:

Q. Is this the same Alexander Trachtenberg who is now under indictment in New York under the Smith Act? A. It is.

Q. I direct your attention to the year 1949. Do you recall discussing any trips abroad with any Party officers at that time? A. Yes, when I was an employee of the Workers Bookshop I discussed with Miss Elizabeth Gurley Flynn the trip she had just taken to France to attend the 80th Birthday Party for Marcel Cachin, I believe it is C-a-c-h-i-n,
13033 a French Communist leader. In the course of conversation at the bookshop she told of a meeting she had held with other Communist Party members of European countries at this affair in Paris.

Q. Did she say what was discussed at this affair, in meeting with other members? A. The question of Party organization and the question of, again I use the quote, the imperialist war being started by the United States, unquote, and what to do about it, what the role of the American Communist Party is in that question.

Q. Did you discuss with any other officers of the Party any trips abroad? A. I have mentioned previously having heard a report by Lou Diskin, the State Chairman of the Labor Youth League on his meeting in Budapest, Hungary, with various Communist Party people, one J. Peters, and leaders of the Communist Youth movement in Hungary and other European countries.

Q. Do you recall when you heard about this trip? A. Upon Mr. Diskin's return to the United States in the fall of 1949.

Q. Where did that conversation take place? A. At a meeting held in the office of the Labor Youth League at 799 Broadway, New York City.

13034 Q. Did Mr. Diskin state what was the purpose for his going abroad at that time? A. The purpose of his going abroad was to attend the World Youth Festival held in Budapest, Hungary, in 1949 after the festival to have certain discussions with Party leaders over there as to the role of the American Communist movement.

Q. Do you recall discussing the attendance at Communist Party schools abroad with fellow Party members?

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The Witness: Yes. With one Art Saha, who had been very active in the Finnish movement of the Communist Party. He told me he had been recommended to attend a Communist Party leadership school in Helsinki, Finland. This was in September 1948, and he said he had been recommended—I didn't get the last name, but it was Carl, the head of the Finnish movement in the New York area of the Communist Party. In 1950 again Mr. Saha said he had been recommended to go to that school. That was in December 1950.

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13035 Q. Did he tell you in your discussions with him what was the purpose of the school operated in Finland? A. He stated that it was a leadership training school for Communist Party members, a Finnish Communist Party school, but the purpose of the attendance of an American Communist was to prepare them for work in Finnish Concentrations, organizational work in the Party among the Finnish nationals in the United States.

Q. I direct your attention to the summer of 1950. Will you tell the Panel what you were doing at that time? A. In July of 1950 I left New York and established residence in New Mexico, Taos, New Mexico, and in July was a guest at the San Cristobal Valley ranch at Taos, New Mexico.

Q. Do you recall any of the activities that went on at the ranch? Did you take part in any meetings there? A. Yes, I did. While in Taos, New Mexico, I was a member of what was called AMNA, American Mexican National Association, as well as the Communist Party, and the San Cristobal Valley Ranch was the center of these activities. I had been invited to go to the ranch by Mrs. Jennie Wells Vincent, who I had met in New York the preceding years.

Q. Can you tell us about any of the meetings, any discussions that were held at this ranch? A. Yes. One in particular on August 7, 8, 1950, conducted by Clint Jencks, who was
an officer in the Mine, Mill and Smelter Workers
13036 Union.

Q. Do you know anything more about Mr. Jencks? A. Mr. Jencks was identified to me as a member of the Communist Party—I attended meetings with him at the ranch—and as an officer in the Mine, Mill and Smelter Workers Union, out of Silver City, New Mexico.

Q. You say that he gave lectures at the ranch, is that right? A. He did lecture on the dates of August 7 and 8.

Q. What was the subject of his lectures, if you recall? A. The question of what would be the role of the Mine, Mill and Smelter Workers Union in the event of any conflict between the United States and the Soviet Union or any—again quote—imperialist war, unquote, and that the role of the union would be, where possible, to slow down production of basic metals and slow down the smelter plants processing copper and zinc ore that came out of the area down there, that they were making plans for just such an eventuality.

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13046 Q. Mr. Matusow, I show you a copy of Political Affairs for September 1948, specifically the article entitled "For a Fighting Party Rooted Among the Industrial Workers," by Henry Winston, commencing on page 834 and ending on page 856. This has been marked for identification as Petitioner's Exhibit No. 418. This is stated to be a report to the convention on the organizational and ideological tasks of the CPUSA. I ask you if you have ever seen that article before. A. I have.

Q. Have you read that article? A. I have.

Q. Did you have a copy of it in your possession at any time? A. Yes, I did.

Q. Was it used in any Communist Party discussions? A. It was used in discussions at the Ray Friedlander Youth Club of the Communist Party in October and November of 1949. It was the basis for discussion of the tasks of the Party.

Q. You say that was used in October 1949? A. Pardon me, 1948, I am sorry.

Mr. Sheehan: Mr. Chairman, we would like at this time
to offer this exhibit in evidence as Petitioner's Ex-
13047 hibit No. 418.

Mr. Abt: What is the number?

Mr. Sheehan: Exhibit 418.

With your permission, Mr. Chairman, I would like to emphasize certain parts of this article, specifically page 839, in the right-hand column the first sentence of the third full paragraph, which reads: "The central task before the Party is the fight for shifting the main base of our party to the working class. This can not be done unless we turn the face of the entire party to workers in the factories."

Again, on page 840, under the heading, "How to Apply the Concentration Policy," the first sentence of the second paragraph on that page: "First of all, it requires a fundamental understanding of the role of the workers in the basic industries in relation to the working class and life of the country as a whole."

Again, skipping one sentence, the third sentence in that paragraph: "One can not conceive of successfully building the Progressive Party, of organizing an effective fight against the Draft, or in defense of civil liberties, a successful fight against war and fascism, unless this section of the working class is fully mobilized."

The next two sentences I want to emphasize are the first two sentences of the next paragraph: "Secondly, 13048 such a policy requires the selection of the points of concentration where a base must be secured, if we are to set in motion the entire labor movement. This means knowing which districts must be given major national attention, which industries are key and what plants are decisive."

The right-hand column on the same page, the first full sentence in that column: "While we must strengthen the Party in all basic industries, we must particularly select for major concentration such industries as steel, auto, mining, maritime, electrical, and railroad."

Finally on page 841 in the third full paragraph, the second sentence: "In practice we concerned ourselves much more with specific policy and tactical questions of the Unions, of relationship to top bodies, rather than to questions of building a base below to insure correct policies and tactics."

I would like to emphasize those portions of that article.

By Mr. Sheehan:

Q. Mr. Matusow, did you ever discuss this article with its author, Henry Winston? A. I did.

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13049 Q. Did you ever discuss this article with its author, Mr. Henry Winston? A. I did.

Q. Will you tell us when and where? A. In December 1948 I had gone to Philadelphia to attend a meeting on press building, the question of subscriptions to the Sunday Worker. The main speaker at that meeting was Henry Winston. After the meeting Mr. Ben Simonowsky and Mr. Winston and myself returned to New York. In the course of 13050 the trip back to New York on the Pennsylvania Railroad, we discussed the article in question here.

Q. Will you tell us what he said about the article? A. He said that the question of industrial concentration and the movement of young people, members of the Communist Party youth movement, to basic industries was important at this time because in the event of any, again quote, imperialist war, unquote, it would be necessary to have people in basic industries to mobilize the workers against this war in an effort to slow down production and to do whatever possible to see that such a, quote, unjust war, unquote, is not successful.

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13052 Q. Mr. Matusow, are you acquainted with the non-Communist provisions of the Taft-Hartley Act? A. I am.

Q. Did you discuss these requirements with members of the Party? A. I did.

Q. Will you tell us with whom, where and when? A. In the spring of 1948 and in the fall of 1949 I discussed the question of the non-Communist affidavit of the Taft-Hartley Act with one Aaron Kramer, an employee and officer of the United Office and Professional Workers Union, one Jack Greenspan, a business agent for one of the United Office and Professional Workers locals, one Ethel Beech, who was in charge of the union hiring hall of the United Office and Professional Workers Union on 29th Street, New York City.

Q. I believe it is clear. I asked you before if you discussed this with members of the Party. I want to make sure. Are these people members of the Party? A. Yes, they are.

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13053 Q. Will you tell us what you were told in your discussions?

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A. The Party decision that was discussed by the Party members that I have just mentioned was that in order to get around the provisions of the Taft-Hartley—

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The Witness: The first meeting was with Mr. Kramer at the office of the United Office and Professional Workers Union in May and early June of 1949, and with the same Mr.

Kramer when he was vacationing at Camp Unity
13054 in July of 1949. So the question of getting around,
as he stated, the non-Communist provisions in the Taft-Hartley Act was that we could resign and the orders were to resign from the Communist Party; in the case of some of the very well known Communists who were in trade unions to have a public resignation, that is, published in the Daily Worker, but the only thing, as he stated, that ceased to be in existence was formal recognition of our membership in the Communist Party. We were still members of the Communist Party, but as I stated, a letter would be published saying you had resigned from the Communist Party. They still attended meetings, as he stated, with other members of the Communist Party.

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13055 THE WITNESS: The question of Miss Ethel Beck,
who was in charge of the union hiring hall or the placement center, the office of the United Office and Professional Workers Union, I had been instructed to see her by the New York County office of the Communist Party in April of 1949. I was instructed to see her in relation to obtaining a job in one of the direct mail houses, as they call it, that were under contract to the union, and also I was instructed to see at the same time a Mr. Jack Greenspan, who was business agent for the direct mail houses. As I say, it was a meeting of the Communist Party, instructions of the Communist Party. We discussed the question of the Taft-Hartley law and the non-Communist affidavit because at that time they were attempting to get employment for me in one of the direct mail houses where they felt the union was weak and the Party said we have to have a Party member in that
direct mail house. I raised the question at that time,
13056 if I went into the shop and got a job, for instance, as
shop steward and would have to comply with the non-Communist affidavit of the Taft-Hartley law, would I be required to sign that non-Communist affidavit. At that time on the question of resignation from the Communist

Party, I was told that resignation from the Communist Party, but continuing to function as a Communist, was the correct procedure.

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Q. You mentioned that you worked for Communist Party bookshops. How long did you work in bookshops for the Communist Party during your membership? A. Over a period of 1948 and 1949, ten months of full time employment, and approximately six months of part-time employment.

Q. Will you tell us where you worked and at just what times? A. In June of 1948 I worked at the Jefferson School bookshop, the Jefferson School of Social Science, 575 Sixth Avenue, New York City. In July and August and part of the month of September I worked at their summer camp, Camp Sherwood, Monticello, New York. In the
13057 period from September 1948 through approximately March of 1949 I worked at the Jefferson School Bookshop on Sunday evenings, where I kept the bookshop open in conjunction with a lecture series that was held at the school. In May over the Memorial Day week-end in 1949 I worked for the Jefferson School Bookshop at their camp, that year Camp Arrowhead at Ellinville, New York.

The third week in June 1949 I went to work at Camp Unity, and I worked as manager of the bookshop there from that week in June until the first week in September 1949. From the second week in September 1949 until approximately the first week in December 1949 I worked at the Workers Bookshop in New York City.

Q. Will you tell us what connection the Workers Bookshop had with the Communist Party, if any? A. It was part of the Wholesale Book Corporation and Communist Party literature distribution center, part of the New York State literature department of the Communist Party.

Q. What was the principal function of these bookshops? A. To sell Communist Party literature, Marxist-Leninist literature.

Q. Did you attend any Communist Party schools? A. Yes, I did.

13058 Q. What schools did you attend? A. I attended new members classes of the Communist Party in the Joe York Youth Club of the Communist Party in the Bronx. I attended leadership classes given by the Tompkins Square Youth Section of the Communist Party. That was in 1948 and '49, running from about December 1948 through March 1949. I attended the Jefferson School of Social Science and studied Marxism I on Science and Society, for a period of ten weeks in the spring of 1948. In the fall of 1948, starting in October and running for 40 weeks, I received a scholarship for the Institute of Marxist Studies at the Jefferson School of Social Science.

Q. Regarding your course in Science and Society, how often did that class or course meet? A. For ten weeks, one and a half hours a week.

Q. I will ask you the same question about the course at the Institute of Marxist Studies. A. That ran for 40 weeks, three hours a week.

Q. What courses did you study specifically in the Institute of Marxist Studies? A. Marxism II, which was Political Economy, Marxism and Labor, Capitalism and the Class Struggle, Imperialism, What Is Philosophy, The Negro Question. There were three courses, but I wouldn't venture to go to my memory to give you the exact titles of those three courses.

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13060 Q. Mr. Matusow, I would like to show you Government's Exhibit No. 121 in evidence which is the book "Foundations of Leninism," by Joseph Stalin, and ask you if you are familiar with this book. A. I am.

Q. How did you become familiar with that book? A. When I was an employee of the Jefferson School and the Workers Bookshop in my capacity as State Literature Director of the Labor Youth League and in relation to educational and reading material for educational programs in the various

Communist Party clubs that I was a member of. Also, it was used as part of the selected reading for some of the courses in the Institute of Marxist studies at the Jefferson School.

13061 Q. Now I show you Government Exhibit No. 138 in evidence, which is the book "Problems of Leninism," by Joseph Stalin, and ask you if you are familiar with that book. A. I am.

Q. How did you become familiar with that book? A. Again it was used as part of the selected reading in the courses in the Institute of Marxist studies at the Jefferson School. It was also sold—I sold it at the bookshops at the Jefferson School and Workers Bookshop. I also distributed this book when I was state literature director of the Labor Youth League and used it in relation to selected readings for study in the Communist Party Youth Clubs of which I was a member.

Q. I show you Government Exhibit No. 139 in evidence, which is the book "State and Revolution" by V. I. Lenin. Are you familiar with that book? A. I am.

Q. How did you become familiar with that book? A. Again in relation to my work at the Jefferson School and Workers Bookshops. I sold the book. In connection with the Institute of Marxist Studies at the Jefferson School for selected readings and the Communist Party study groups in the Communist Party Clubs that I was a member of.

13062 Q. I show you Government Exhibit No. 149 in evidence, "The United Front," by Georgi Dimitrov, and ask you if you are familiar with that book. A. I am.

Q. How did you become familiar with that book? A. It was used as a text in the course Marxism and Labor, a part of the Institute of Marxist studies at the Jefferson School. It was also used and sold in the Workers and Jefferson School Bookshops, and used for reading material in specific study work in relation to industrial concentration in the Communist Party Clubs that I was a member of.

Q. I show you Government Exhibit No. 140, which is the book, "Imperialism, the Highest Stage of Capitalism," by V. I. Lenin, and ask you if you are familiar with that book. A. I am. There again the book was sold and used in the Jefferson School and Workers Bookshops. It was used in the courses at the Institute of Marxist Studies, in the Communist Party Youth Clubs of which I was a member, and we distributed this book through the State Literature Department of the Labor Youth League.

Q. Are you familiar with the book, "Strategy and Tactics of the Proletarian Revolution"? A. I am.

Q. Will you tell us how you became familiar with
13063 that book? A. I first became familiar with the book when I was employed at the Jefferson School Bookshop in 1948. I sold the book at the Jefferson School Bookshop, at the workers bookshop. I distributed the book in the literature department of the Labor Youth League in New York State, and used "State and Revolution" as part of the text in the new members' classes of the Communist Party at the Ray Friedlander Youth Club.

Q. Are you familiar with the book "Mastering Bolshevism," by Joseph Stalin? A. Yes, I am.

Q. How did you become familiar with that book? A. "Mastering Bolshevism" was used as a text in the new members' classes at the Ray Friedlander Youth Club, of the Communist Party in 1949. We also sold the book at the Jefferson School and Workers Bookshops, and distributed the book through the state literature department of the Labor Youth League.

Q. I show you Government's Exhibit No. 330, which is the book, "History of the Communist Party of the Soviet Union," and ask you if you are familiar with that book. A. I am.

Q. How did you become familiar with it? A. It was used as a basic text for new members' classes in the
13064 Communist Party, and part of the book was used for selected readings in some of the courses in the Institute of Marxist Studies. It was also distributed by

the state literature department of the Labor Youth League and by the workers and Jefferson School Bookshops when I was employed there.

Q. Do you know of the Zhdanov report on "The International Situation" given at the conference of a number of Communist Parties in Poland in 1947? A. Yes, I do.

Q. Will you tell us where you first became familiar with the Zhadnov report? A. I first became familiar with the Zhadnov report at the Jefferson School Bookshop where we sold the Zhadnov report.

Q. Can you tell us what you know about the Zhadnov report?

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The Witness: It was used in a number of courses again in the Institute of Marxist Studies. The first copy
13065 of the report that I saw was one that was printed by Foreign Language Publishing House, Moscow. It had been obtained through the Four Continents Bookshop. The Wholesale Book Corporation had obtained it there. It was then out of print for a few weeks, and the Jefferson School reproduced the Zhadnov report in mimeograph form and used it as a basic text in a number of their courses.

By Mr. Sheehan:

Q. Was this report used in any discussions, in any clubs at which you were present? A. Yes, it was. It was used in relation to the study outline on the question of China. I forget the exact title of the study outline. It was put out by the Communist Party of New York State Educational Committee. The general idea was new people's democracy in China and the war dangers facing it through American imperialism. That was the general context of it. It was mainly dealing with the role of the American Communist Party in relation to establishing recognition of Communist China. The Zhadnov report was one of the selected readings in that.

Q. Do you recall when you had the last contact with the various books and reports that you have just described here?

A. Yes. It was in December 1950. I was in New York. I had just returned from New Mexico. I went up to the
13066 Jefferson School Bookshop to make arrangements with the manager, one Sid Ballinger to have him send certain Communist Party literature to me. I was planning on going back to New Mexico. While there we discussed a number of publications, that is the question of the Little Lenin Library, of which this is a part, still in stock there. I was trying to make arrangements to get a number of each of those and some of the basic texts such as history of the Communist Party of the Soviet Union. The books were still carried in stock there, and while I was there we discussed and referred to them as well as others.

(Document produced and marked for identification Petitioner's Exhibit 419.)

By Mr. Sheehan:

Q. Mr. Matusow, I show you what is marked Government's Exhibit No. 419 for identification, which purports to be a bibliography of the Jefferson School of Social Science for the course Marxism V, The Struggle for Socialism, and I ask you if you have seen that document before. A. Yes, I have.

Q. Where did you see it? A. This was a study outline which was given me when I was taking the course, Struggle for Socialism, Marxism V, a part of the Institute of Marxist Studies. We used this outline as our basis for study, that is, the reading materials to be used in the course.

13067 Mr. Sheehan: Mr. Chairman, we wish to offer at this time this document as Petitioner's Exhibit No. 419 in evidence.

Miss McHale: Is this dated?

The Witness: This was used over a number of years. It was used in 1949. "It might have been used later."

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By Mr. Sheehan:

13068 Q. Mr. Matusow, I show you what has been marked for identification as Petitioner's Exhibit No.

420, which purports to be a bibliography of the Jefferson School of Social Science for the course Marxism and Labor, and ask you if you have seen that before. A. I have.

Q. Where did you first see that? A. It was a study outline given to me for the course, Marxism and Labor, in the series of Marxist studies over the years 1948 and 1949.

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13069 Q. Mr. Matusow, I show you what is marked as Petitioner's Exhibit for identification No. 421, an article from Political Affairs of July 1950, entitled "For a United-Front Policy Among the Jewish People—Sharpen the Struggle Against Bourgeois Nationalism," beginning on page 55 and running through page 70. I want to call your attention to page 58, the right-hand column, beginning with section (b) at the end of that column, continuing through to page 61, the portion beginning with the heading "The Struggle Against Bourgeois Nationalism." I ask you if you have ever read that. A. Yes, I have.

Q. Will you tell us where and when you have had occasion to read that? A. In July of 1950 in New York City we discussed this at a meeting of the West Side Club of the Labor Youth League.

Q. Do you know who Ilya Ehrenburg is? A. He is a Soviet author, novelist and writer.

Q. Can you tell us anything more about him? A. I have sold a number of his books and articles and read them, one Novel called "The Storm." I read a speech of his that was delivered before an international gathering, a cultural gathering in Warsaw, Poland, in 1949.

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13073 Q. Mr. Matusow, I show you what has been marked for identification as Petitioner's Exhibit No. 422, the book "The Theory of the Proletarian Revolution" published by International Publishers, and ask you if you have ever seen that book before? A. I have.

Q. Will you tell us where you saw that book? A. I saw this book at the Workers and Jefferson School Bookshops where it was sold. It was also sold through the state literature department of the Labor Youth League and used as a basic text for study in the new members' classes conducted in the Ray Friedlander Club of the Communist Party.

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13079 Q. Mr. Matusow, I show you what has been marked for identification as Petitioner's Exhibit No. 423 the book, "The Dictatorship of the Proletariat," published by International Publishers, and ask you if you have ever seen that book before. A. I have.

Q. Where did you see that book? A. At the Workers Bookshop and the Jefferson School Bookshop. It was sold there. It was sold also and distributed by the State Literature Department of the Labor Youth League. It was also used as a basic text and reading for new members and leadership classes in the various Youth club of the Communist Party to which I belonged.

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13088 Q. I believe you testified before the recess that you had instructions to arrange for the trip of the Communist Party delegate to the World Youth Festival in Budapest. Can you tell us what arrangements, if any, you made for this trip. A. Yes. When we got—that is, when Ted Bassett and I got to Puerto Rico, we conferred with Juan Santo Rivera, the Chairman of the Party there, and Caesar Andreau, A-n-d-r-e-a-u, the general secretary of the Communist Party. On the basis of that we selected Eugene Cuebues Arbona, the head of the Communist Party Youth Movement in Puerto Rico, as a delegate to go to the Budapest World Youth Festival meeting. I had instructions to give Mr. Ceubues, which I did, which were that he was to apply for his passport to go to Europe and in his application state that he was going to France, Italy, and England as a tourist. I also had instructions to pick up before I left

Puerto Rico the biographical information necessary
13089 for a Hungarian visa. I received from Cuebues photographs, his date of birth, signature, and other material that was necessary. I was instructed to and complied with the instructions to bring that material back to New York. I did turn them over to a Lou Diskin, the Chairman of the Communist Party Youth Movement in New York State, and Mr. Diskin and myself brought the information down to the office of the American Youth for a Free World at 144 Bleeker Street. While in Puerto Rico I was also instructed to tell Mr. Cuebues when he arrived in Paris, France, he was to go to the office of the World Federation of Democratic Youth and there he was to pick up his visa to Hungary.

Q. Were you told why your instructions were to tell him in his application to state that he was going to France, England, Italy and not to Hungary where he actually intended to go?

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THE WITNESS: I was told that the reason for his application stating that he was going to France, England, et cetera, was because the State Department had a ban on issuing passports to Hungary, and that the only way he could get there would be by applying for the passport to a western European country.

13090 By MR. SHEEHAN:

Q. Did you again see this Mr. Cuebues after you left Puerto Rico? A. I did.

Q. When and where did you see him again? A. I met Mr. Cuebues two days after he returned from Budapest, Hungary, in New York City, and there conducted him on a tour of the Communist Party Youth clubs in New York City, where he lectured.

Q. Did you have any conversations with him at this time? A. Yes, I did. He told me that he had complied with the instructions that I had given him about picking up a visa in Paris, and he said he had been to Hungary.

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13092 Q. Mr. Matusow, I show you Petitioner's Exhibit No. 374 in evidence, which is the constitution of the Communist Party of the United States, and I ask you if you have seen that document before. A. I have.

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13093 Q. Where did you see this constitution? A. I saw this constitution distributed at the Ray Friedlander Youth Club of the Communist Party, as well as Communist Party New York County Headquarters, New York City.

Q. Have you read it? A. Yes, I have.

Q. Did you discuss it in any of your classes in the Party? A. Yes, I did.

Q. I would like to direct your attention to the first sentence of the preamble of the constitution on page 3, which reads: "The Communist Party of the United States is the political party of the American working class, basing itself upon the principles of scientific socialism, Marxism-Leninism." Were you given any explanation of this sentence in your discussions in your classes on the constitution?

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Q. You may specify the time and place and the circumstances. A. The discussion of the constitution of the Communist Party of the United States was made at the Ray Friedlander Club of the Communist Party in Sunday afternoon classes held at the home of Mr. Ira Wallach, also known as Ted Tinsley. His wife, Mrs. Wallach, was conducting a class in leadership for members of the Ray Friedlander Youth Club of the Communist Party. I could not give you now the exact date. It was in that period of weeks of late 1948 or early 1949. For a period of weeks we had Sunday afternoon classes at that home on 14th Street. 13094

In one of the first classes the question of the constitution of the Communist Party of the United States was raised, and it was discussed. The question of "Principles of scientific socialism, Marxism-Leninism" were interpreted at these classes by the instructor, Mrs. Wallach, and through the discussion, as meaning the establishment of a dictatorship of the proletariat, the establishment of socialism in the United States.

Q. Was it explained just how the dictatorship of the proletariat would be brought about? A. How the dictatorship of the proletariat would be brought about would be socialism through evolution or revolution.

Q. I would like to direct your attention to the first sentence of the second paragraph of the preamble, which reads: "The Communist Party upholds achievements of American democracy and defends the United States Constitution and its Bill of Rights against its reactionary enemies who would destroy democracy and popular liberties." 13095

On the basis of your study and your classes in which the Constitution was discussed, in your opinion can the two sentences that I have pointed out be reconciled?

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13096 The Witness: I started by saying that the class was set up by the New York County Educational Department of the Communist Party. It was an official class of the County Educational Department. On the 13097 question of the principles of scientific socialism, Marxism-Leninism, the question of tolerance to minority groups in the society, the dictatorship of the proletariat, it was very strongly emphasized in the class that we will not and can not maintain the dictatorship of the proletariat and tolerate any minority group, any opposition to our dictatorship as a proletariat. On the basis of Mr. Sheehan's question, the question of reconciling the two paragraphs could not be gotten because the Constitution and the Bill of Rights do uphold the recognition of minority groups.

As we were taught in the first paragraph, there was no tolerance or recognizing of minority groups under the dictatorship of the proletariat.

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13098 Q. As a result of your membership in the Communist Party and your attendance at Party Schools and meetings, what was your understanding of the aims and objectives of the Communist Party of the United States. A. That we will defend the interests, the quote that was used this morning, of the American working class and in terms of event of a show down, as it was put in the class, of a war with the Soviet Union, we would not support the American imperialists, unquote; and on the question of establishing a dictatorship of the proletariat in the United States it would be gotten through the means of revolution because they state, quote, the ruling class will not give up its power, unquote, and therefore we must use violent means.

Q. During the time of your membership in the Party did you hear from any spokesman for the Party or did you read in any literature of the Communist Party that there was ever any change in the ultimate aims and objectives of the Part as you stated them?

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13099 The Witness: No, there was never anything that I read showing changes in the aims of the Communist Party, in the time I was in the Party.

By Mr. Sheehan:

Q. Did you ever hear any leaders of the Communist Party criticize any foreign or domestic policies of the Soviet Union?

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The Witness: I did not.

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Q. Did you ever hear any leaders of the Party praise or approve the domestic or foreign policies of the United States? A. In context I would like to qualify the question, Mr. Sheehan.

Q. You may answer the question and explain your answer. A. In the question when the United States and the Soviet Union agreed, I have heard certain Party officials praise or recognize that the United States took a good position, but on a question where the United States and the Soviet Union disagreed on a certain question I have never seen the Communist Party come to the defense of the United States Government as opposed to that of the Soviet Union.

13100 Mr. Abt: May we have the time and place of all these discussions and who said what, Mr. Chairman?

Mr. Brown: I believe the witness testified over his entire period of membership.

Mr. Abt: That is my point, Mr. Chairman.

Mr. Marcantonio: We are entitled to know when and where and who said it.

Mr. Brown: If you remember, and the circumstances when what you just testified to was said.

The Witness: I didn't say that was stated. I think the question was "when you were a member of the Communist Party from October 1947 to January 19, 1951, did any leader of the Communist Party to your knowledge criticize the Soviet Union on their internal or domestic policy?" and the answer was no. I think you heard the other question.

Specific examples can be given. In the summer of 1948 when I was working for the Jefferson School at their summer camp we had a discussion given by Dave Goldway, the director of the Jefferson School, on the question of Yugoslavia and Tito. It was early in the summer. The discussion said that we agree with Tito, we agree with Yugoslavia and all the things they are trying to do. A few weeks later the news was published in the Cominform Bulletin, For a Lasting Peace, For a People's Democracy, that Marshal Tito and the Yugoslav Communist Party had been expelled

by the Cominform. The same Mr. Dave Goldway
13101 lectured at the Jefferson School Camp taking the
reverse position, though it had been only a matter of a few weeks and he only read about it in the Cominform journal, according to his own admission to me at the camp.

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13102 Miss McHale: From your profile of activities I
got the impression that you were very active over
that period in either operating bookshops or the sales of
their products. Did you ever have anyone say to
13103 you, "Oh, I am not going to buy that. It is 30 years
old. It is stale stuff"?

The Witness: No, I never did.

Miss McHale: They just accepted it as something that they should have because it appeared in the bibliographies?

The Witness: That is correct.

Miss McHale: Was there a lot of sales talk in promoting those periodicals?

The Witness: I may give an example for you. In 1948 a great to-do was made about the fact that the Communist Manifesto was 100 years old, but it is just as important today and lives on. It is just as relevant today as it was in 1848 when it was written. That is just one example of the other pieces of Marxist literature. In "The Young Generation," by Lenin, a publication which was dated 1905, there is a chapter called "Organizing the Youth," which was used quite extensively in the Labor Youth League in 1949 and recommended setting up certain basic principles for youth organizations.

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13110 Cross Examination

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By Mr. Marcantonio:

13144 Q. You testified that in this discussion, this October meeting, late in October, the discussion centered around an article in the September issue of Political Affairs, isn't that right? A. Correct.

Q. You said it was said there at this meeting that it was the policy of the Communist Party not to support the United States in an imperialist war against the Soviet Union. A. Correct.

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13229 **Daniel Scarletto** called as a witness for Petitioner, having been first duly sworn, was examined and testified as follows:

MR. BROWN: Please be seated.

DIRECT EXAMINATION

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By MR. STORY:

13241 Q. Mr. Scarletto, how long did you continue in the Communist Party underground after you were assigned to that organization?

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13242 THE WITNESS: I continued in the Communist underground until the moment I took the stand in Los Angeles, California. I took the stand on Friday. I was contacted on Wednesday night by my underground contacts.

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Q. Mr. Scarletto, in addition to these classes that you attended at the beginning of your membership in the Communist Party did you attend any other Communist Party schools or classes at any time during your membership? A. Yes, I have.

Q. What schools have you attended? A. After the beginners classes when I was in the club, I then went in the summer, about August of 1948, I think it was, I got a letter that I was to attend the leadership school which was three classes out on Western Avenue in Los Angeles.

Q. Did you attend this school? A. Yes, I did.

13243 Q. How long did the school last? A. It was only a three-day, three evenings in the whole course.

Q. How long were the sessions? A. The sessions were from 7 to 10 o'clock, three hours apiece, and it was for three nights.

Q. After this school did you attend any other schools conducted by the Communist Party? A. Yes. In the summer of 1949 we had two classes for the regional leadership. One was held on Hayes Avenue, Highland Park, and the other one was held on Grenada Avenue, Highland Park.

Q. How long did this school continue? A. It was for two Saturdays. They lasted six hours apiece.

Q. Do you recall any of the textbooks or materials that you used at these schools? A. They had instructors there who came in with written up forms, and they read from their forms.

Q. Were you assigned any reading material during this course? A. Yes. Before we went to the first class we were assigned some reading material, and then after the second class we were assigned some by the instructor. We were told some books to study for the first class, and then while we were there we were given some more names of books
13244 to study for the next class.

Q. Do you recall the names of any of these books? A. No, I can't recall them offhand, it has been so long ago.

Q. Did you attend any other Communist Party schools after the two schools you have just mentioned? A. Yes. I attended the Marxist Institute in Los Angeles.

Q. When did you first receive notice that you were to attend the Marxist Insitute? A. It was around December of 1949 that I received notice through the club chairman that I was to attend this Marxist Institute.

Q. Who was the club chairman at that time? A. Gertrude Stoughton.

Q. Please tell the Panel what Gertrude Stoughton told you concerning the Marxist Institute that you were to attend.

Mr. Forer: I object. It is hearsay.

Mr. Brown: Overruled.

The Witness: She told me that I had been selected to go to this school, which would last one year, and it had a $20 fee which we would pay, $5 of it, quarterly. She said it should start around November, and she wanted to know—she said I had been selected and I had to go.

By Mr. Story:

Q. Did she tell you how long this school would continue? A. She said it would continue for one year.

13245 Q. Was this a full time course, Mr. Scarletto? A. No. We went one night a week.

Q. How long were the sessions? A. They would average about four hours.

Q. After you received these instructions did you enroll in the Marxist Institute? A. Yes, I did.

Q. Did you register in the school under your own name? A. Oh, no. They just put down our first initial. That is all they used on our applications.

Q. Approximately when did you attend your first session in the Marxist Institute? A. It was in November of 1949.

Q. Approximately how many students were present in your class? A. There were 18 students present.

Q. After you started in this school were any security measures taken to protect the identity of the students attending this school?

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The Witness: Yes. The first security measure that was taken, we were all given numbers and not names. We were told, "If you know any of these people before you

13246 started this class, never to call them by their first name or last name during this course."

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Mr. Brown: Do you remember the persons who were present?

The Witness: Yes.

Mr. Brown: And where this conversation took place?

The Witness: Yes.

Mr. Brown: And what time?

The Witness: Yes. In the latter part of November when we first started the classes, the instructor was Gunther Michel, and there were only two people at that time I had been acquainted with before the classes started. One was Arthur Schaffer and the other was Silvia Freeman and her husband.

By Mr. Story:

Q. Was it Michel who asked you not to address anyone by his first name? A. Yes. He was the instructor.

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13247 Q. After these instructions were given by Gunther Michel, were you given a number? A. Yes, I was.

Q. What number were you given? A. I was No. 13.

Q. Do you recall the names of any of the textbooks that were used in connection with this school? A. Yes, I recall a few. One was the History of the Communist Party of the Soviet Union. One was State and Revolution, and Imperialism by Marx. The Communist Manifesto. That is all I can remember offhand, right now.

Q. Where did you obtain these books which you used in the Marxist Institute? A. They have a bookstore out Seventh Street out on Seventh Street. First they had the books at the Institute. Then after a couple of months we had to go out to the bookshop to pick them up.

Q. Were you given these books or did you have to buy them? A. No, we had to pay for every one we got.

Q. Were you given any other material in connection with the Marxist Institute? A. Oh, yes. They gave us our outlines.

Mr. Story: Mr. Clark, will you mark this document Petitioner's Exhibit 424.

(Document produced and marked for identification Petitioner's Exhibit No. 424.)

13248 By Mr. Story:

Q. Mr. Scarletto, I hand you a document and ask you if you can identify this document. A. Yes. This is a copy of the first outline of the Marxist Institute, the first quarter.

Q. When did you receive a copy of this outline, Mr. Scarletto? A. At the first class we had in the Marxist Institute.

Q. Were you given other outlines in addition to this one while you were connected with the Marxist Institute? A. Yes, I was.

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13255 Q. Mr. Scarletto, I hand you a document which has been marked for identification Petitioner's Exhibit 425, and ask you if you can identify that document. A. Yes, I can.

Q. What is that document? A. This was one of our study outlines on Imperialism.

Q. When, during the course of time you attended the Marxist Institute, did you receive that outline? A. I received this one here—after we had completed this study outline on Marxism-Leninism, we received Imperialism.

Q. Was that outline used during the course of instruction at the Marxist Institute? A. Yes, it was.

13256 Q. Mr. Scarletto, I refer you to page 4 of session 1 of Government Exhibit for identification 425, and at the top of the page, page 4, where it says "Required reading." While you attended the Marxist Institute as a student did you read the material which is listed in this outline under the heading "Required reading" and "Supplemental reading"?

Mr. Abt: What page is that you are referring to?

Mr. Story: Page 4 of session 1.

The Witness: Yes.

By Mr. Story:

Q. Would you look through the outline which is government's exhibit for identification 425 and tell the Panel whether or not it was required for the students attending this Marxist Institute to read the assignments in the outline under the heading "Required reading"? A. Sometimes there were a couple, some of the books that we didn't have to bother with, but he always told us which ones he wanted us to get in the outline at the schools.

Q. I see. Did that pertain to all the sessions or just to session 1 which you are looking at here? A. It seems as though throughout the whole study there were certain books that were not necessary for us to have. He would just tell us which ones to get.

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13257 Q. Mr. Scarletto, did you complete the full course that you were told that you were to take when you started at the Marxist Institute? A. No, we didn't.

13258 Q. How lonq did you continue in the Marxist Institute? A. We continued to the spring of '50, until shortly after the Korean War started.

Q. What happened to the Marxist Institute after the Korean war started? A. When the Korean war started, we moved it and had a couple of meetings, and then it was cancelled and we were told by the instructor that we were cancelling it for security reasons and that we would be notified when it would start up again.

Q. Were you ever notified that the institute would start up again? A. Yes, I was.

Q. Tell the Panel what happened. A. I received instructions from the section organizer of the 45th AD, Mim Schaffer, that I was to go to the home of Ada Dobbs on a certain date, at a certain time there—The following week it was—and that she would instruct me where to go to continue my Marxist Institute.

Q. Did you go to the home of Ada Dobbs? A. Yes, I did.

Q. What information did you receive there? A. She told me she couldn't give me any information on where to go, but I would have to wait there and that a man would come who knew where it was and would go with me.

13259 Q. Mr. Scarletto, where had the Marxist Institute classes been held prior to this time? A. They were held at a hall, some classrooms they had over there at the Jewish Cultural Center in the City Terrace.

Mr. Abt: What is that?

The Witness: At the Jewish Cultural Center in City Terrace.

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By Mr. Story:

Q. Did this man ever come to Ada Dobbs' house? A. Yes, he did. His name was Lym, L-y-m.

Q. What took place after Lym arrived at Ada Dobbs' house? A. She introduced me to Lym. I had never met him before. And said that he would be our instructor. He told me to follow him in my automobile and he would take me over to the home. He said we are having it in a private
home for security reasons. To park my car a couple
13260 of blocks away from the house. As he went by he
pointed to the house and drove on, and so did I, and
I walked back and met him there.

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Q. Mr. Scarletto, were you told by your instructor or any of your superiors why the Marxist Institute was being discontinued?

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13261 The Witness: I will answer the question, yes.
It was for security reasons, and we were told that
the Korean war was getting pretty hot and that they thought
they would call it off.

By Mr. Story:

Q. Who told you that, Mr. Scarletto? A. The section organizer told me that.

Q. What was the name? A. Mim Schaffer.

13262 Q. When did she tell you that? A. That was in
the late summer of 1950.

Q. The later summer of 1950. A. Yes.

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Q. Mr. Scarletto, did you attend any Communist Party conventions at any time during your membership in the Party? A. Yes, I attended one convention.

Q. Where and when did you attend this convention, and what was the convention? A. In 1948, in July, I attended a convention—it was a sectional convention—and it was in Los Angeles on Echo Park, the name of the Street, at the Echo Park Women's Club.

Q. Do you remember when in 1948 you attended this convention? A. I think it was in June.

Q. Did you attend this convention as a delegate? A. Yes.
I was voted as a delegate from my club to go to this
13263 convention.

Q. About how many delegates attended this convention? A. There were about 60 of them there.

Q. How were you selected as a delegate for this convention? A. I was selected and voted by the club to go.

Q. At the time you were selected as a delegate for this convention were you told where the convention was to be held? A. No, I wasn't told where the convention was to be held, but I was told the day it was to be held.

Q. How did you find out where the convention was to be held? A. I had to go to the home of the section organizer. She gave me the address on El Sereno Avenue and told me to go there Saturday morning about a quarter of eight and pick up a load of delegates in my car, and that there would be one member there that would know where the convention was to take place. She also told me to bring my lunch.

Q. Who was the section organizer who gave you these instructions? A. Mim Schaffer.

Q. Did you go to the address she had given you on the date that she told you to be there? A. Yes, I was there right on time when I was supposed to be.

13264 Q. What took place after you arrived at this address? A. The people were there that I was to pick up. They were all there, and Jim Forest was there, and he told me he was the one who knew where the convention was to take place. We all got in my car.

Q. What took place after you got into your car? A. He told me to drive to Echo Park and I drove there, and he showed me where it would be but he said, "Don't stop here. Keep on going." He had me drive a couple of blocks down the street and we stopped and let the women out of the car, which left only him and me. Then he had me turn left and park down a side street. He said, "Be careful never to park near a building where there is a meeting going on."

Q. What type of building was this convention held in? A. It was a one-story wooden building there, about the size of this room.

Q. What was the building called? A. The Echo Park Women's Club was the name of the building. That is the only name they had on the front of it.

Q. After you and Jim Forest had parked the car, tell the Panel what happened next. A. He and I walked back to the building, and as we stepped in the door we had to be identified by a Panel. We had to state our club, our position in the club, and our name. That was all recorded. Then they had a master-at-arms which when the Panel gave
13265 him the nod, he allowed us in.

Q. How long did this convention last, Mr. Scarletto? A. Counting our half-hour lunch period—we weren't allowed to leave the building for lunch—we were in there for approximately 8½ hours.

Q. Did any of the delegates attempt to leave the building during this convention? A. No one was allowed to leave the building during the convention. They had those instructions before they came in.

Q. What took place at this convention? A. All the delegates of different clubs had something to say about the work they were doing in the clubs. It so happened that the delegate who was from the same club that I knew, talked from our club. I didn't do any speaking that day.

Q. What happened when the convention was over at the end of the day? A. When the convention was over we were instructed to leave in intervals of five or six people, and the master-at-arms would let five or six people out at a time.

Then we would close the door and wait a while and he would let a few more out.

Q. Did you leave with the same group that you brought to the convention? A. Yes.

13266 Q. After you had gathered the delegates into your car, what did you do then? A. I took them all home.

Mr. Abt: Mr. Chairman, I would like to move to strike all of this witness' testimony with reference to so-called secret practices engaged in at this convention on the grounds that I have urged previously, and that is that the secrecy which this witness claims was practiced at this convention is not secrecy of the character defined in and required by the act and therefore the witness' testimony on that question is entirely irrelevant and immaterial to any issue in this proceeding.

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By Mr. Story:

Q. Mr. Scarletto, was the organizational structure of your Communist Party club changed at any time? A. If the Mexican Concentration Club? It was changed, yes.

Q. How was it changed? A. At a chairman's meeting in the spring of 1949 we had orders from our section organizer, Mim Schaffer, to break our club, which had gained a few members. We had orders to split it in two and make two groups out of it.

Q. About how many members did you have in the Mexican Concentration Club at that time? A. There were 15
members, but there were always a couple of them
13267 who couldn't make the meetings regularly. We had
15 members.

Q. After you received these instructions from Mim Schaffer was the Mexican Concentration Club broken down into two groups? A. Oh, yes, we split it in two.

Q. Did you hold any position in either of the groups after it was broken down? A. I was still Org. Sec. for both groups.

Q. Did Mim Schaffer tell you the reason for this breakdown? A. Yes.

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Q. What did she tell you? A. She said it was for security reasons, and she also said, she told the chairman of the meeting for the Org. Sec. not ever to collect any dues in the presence of other members, that it would all be done in private. Take a member into the next room then to collect any dues or sustainers from them, so the other members wouldn't know what another member's standing is in the club as far as dues were concerned. That I did.

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13268 Q. In connection with these dues that were to be collected in privacy, did you have any official functions or duties in connection with the collection of dues in the Mexican Concentration Club? A. That was one of the official duties of the organization secretary to handle the finances.

Q. And you were the organizational secretary after the breakdown? A. Yes. I used to go to both meetings at times.

Q. Tell the Panel just how you would collect the dues after these instructions from the section organizer. A. I would take a person, each individual, into the next room of whatever home we were holding the meeting in, and I would tell them how much they owed me and where they stood, and they would pay me in private. There were no receipts or anything. 13269

Q. Did you keep a record of the dues payments, Mr. Scarletto? A. I was not allowed to keep a record. I had to do it in my head. I had to know what every one owed me.

Q. After this reorganization or breakdown in the summer of 1949 did you have any further reorganization at any time during your membership? A. Will you ask that question again, please?

Q. After the reorganization of your club in the summer of 1949, did you have any further reorganization during your membership in the Mexican Concentration club? A. Yes.

Q. When did this reorganization take place? A. Towards the end of the year of 1949, late in the year.

Q. Tell the Panel what happened during this reorganization. A. We had a chairman's meeting, and we were instructed by Mim Schaffer, our section organizer. She said that the clubs had to be broken down again, reshuffled. We were to take these two groups which we had and split them again, which left us with, on the average, about four people to the group.

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13270 Q. Were you told why this breakdown was to take place?

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The Witness: Yes, we were told that we were to have this breakdown so in case any one group was picked up, they would get only three or four people, which wouldn't prove too much.

By Mr. Story:

Q. How were these groups reorganized, Mr. Scarletto, when they were reorganized in the fall of 1949? A. We broke them down into small groups, which were four on the average, and we appointed someone as group leader for each of these small groups. Then the Chairman and I would go to a chairman's meeting and we would take notes on all that was to be done. Then we would have a group leader's meeting, and we would pass the information on to them so they could relay it to their smaller groups.

Q. After this reorganization in the latter part of 1949 did the entire Mexican Concentration Club meet in one group at any time? A. No, they continued on through 1950 in small groups.

Q. Where did these groups hold meetings after they were organized? A. Our instructions were to hold the meeting at a different place every week. We held them in automobiles, too, seeing that there would be only four people. We would hold meetings in automobiles. Then we would change around. We would use different houses at different times. 13271

Q. At this meeting where you received instructions for the reorganization in late 1949 did you as an official of the Mexican Concentration Club receive any other instructions concerning the security of your groups? A. Yes.

Q. What instructions did you receive? A. We were supposed to change our names and use only nicknames from then on, which we did, and to use code, to make up our own code for telephone conversations.

Q. Would you tell the Panel what type of code you would use in connection with telephone conversations? A. We were all given nicknames, and but for one person we weren't supposed to know where the meeting was to be held, and then I would get a phone call, for instance, which would say, "Hello, Chips, come by and pick up that book tonight." And I would know just where the meeting was going to be by such a statement.

Q. During what period of time, Mr. Scarletto, was this system used? A. It was used from late 1949 through 1950.

Q. Mr. Scarletto, did you receive a Communist Party membership card or book in the year 1949? A. I received the constitution of the Party.

13272 Q. I mean a membership card. Did you receive a membership card? A. Oh, no, I never received a membership card for 1949.

Q. Were any membership cards issued for the year 1949? A. No, they were not.

Q. Were you as an official of the Mexican Concentration Club told why they wouldn't issue membership cards?

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The Witness: Yes.

By Mr. Story:

Q. What were you told?

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The Witness: At a chairman's meeting at Mim Schaffer's house we received the orders that there would be no more cards put out because if a person was ever searched and cards were found, it would prove embarrassing.

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13273 The Witness: That I would say was in the early part of 1949.

By Mr. Story:

Q. Who told you that, Mr. Scarletto? A. Mim Schaffer, our section organizer.

Q. You have testified, Mr. Scarletto, that you had a membership card for the year 1948. A. That is correct.

Q. What happened to that membership card? A. We were given orders to destroy our 1948 cards.

Q. Would you tell us who told you, when you were told, and where you were told? A. We were told that at the home of Mim Schaffer at the first of 1949, when we were told there would be no 1949 cards issued.

Q. Did you destroy your membership card? A. No.

Q. What did you do with it? A. It was turned in with reports to the FBI.

13274 Q. Mr. Scarletto, you have testified that you were assigned to the Communist Party underground in January 1951. Will you tell the Panel when you received the instructions for this assignment, who told you, and what you were told? A. I was told by my chairman, Gertrude Stoughton, right around the first of 1951, that I was to get in contact—

Q. That was 1951, is that correct? A. Yes, right around the first of January 1951, yes.

—that I was to contact Arthur Schaffer, and that I did.

Q. When did you contact Art Schaffer? A. She told me on a Tuesday night, and on a Wednesday night I had to go over there, and I went over and caught him home about seven o'clock.

Q. Caught who home? A. Art Schaffer. At the time she said for me to be there.

Q. What happened after you went to the home of Art Schaffer? A. I knocked on the door, and he was home alone. He answered the door and said "Come on in." I went on in and he stepped outside and looked around first and then he locked the door from the inside.

Q. Did you have a conversation with Schaffer after he had locked the door? A. Yes, I did.

13275 Q. What did Schaffer say to you? A. He said, "You have been chosen to go into a new kind of work." He said, "From now on you will be severed from your club and you will be responsible only to the county."

Q. Only responsible to whom? A. The county.

Q. What did he mean, responsible to the county? A. That means the Party, the County functionaries.

Q. The county office of the Communist Party? A. Yes.

Q. What county is that? A. Los Angeles County.

Q. Did Schaffer give you any other instructions about that time? A. He said, "I am sorry I can't tell you what your duties will be, but I can only give you a couple of lines." He said that he was in the same kind of work and the other hint was that I would be running a machine. That was all that he could tell me, and that in a couple of weeks he asked what was the best time to catch me home at night and I said about six-thirty. He said, "Fine, within about two weeks there will be a Man contact you at your house." He said "You have never seen him before and he will say that he is a friend of Ernie's." He told
me that being that we are not allowed to keep a
13276 record of our members or dues standing, "I want
you to make a list of all the members and their dues standing, and take it over to your club chairman and tell her that you will not be with the club. Turn these names and dues standings over to her and let her handle them from there."

Q. Did you take the dues standing and the names of the members of your club to the section organizer? A. No, to the chairman of the club, of the Mexican Concentration Club.

Q. What did you tell the chairman of the Mexican Concentration Club at that time? A. From Artie's house I went straight over there, and she was home. I gave her the list. I made it up at Artie's house and took it over and told her that I was no longer in the club, that I had been severed by Arthur, and that here were the names and all the dues standings.

Q. Did Schaffer tell you what type of machine you would be running after you got into this new work? A. No, he didn't tell me whatsoever. He just said a machine.

Q. This man who was to contact you and tell you that he was a friend of Ernie—did you know anyone in the Communist Party by the name of Ernie? A. No, I didn't know at the time.

Q. What were you doing for a living during this period
of time, Mr. Scarletto? A. I was working over at
13277 Lockheed at that time, Lockheed Aircraft.

Q. Working as what? A. As an aircraft sheet-metal man.

Q. At the time you had this conversation with Art Schaffer were you engaged in any other Communist Party activities as of that time? A. I was just engaged in my club duties as organization secretary.

Q. Were you engaged in any campaigns for the Communist Party? A. No, not at that time, not that I recall.

Q. After the conversation with Art Schaffer were you contacted by the man who he told you would contact you? A. Yes. It was more than two weeks, though. It was about two and one-half. The man came to my house at approximately 6:30 at night and knocked on the door, and when I answered he said, "I am a friend of Ernie's." I said, "Oh, yes, I have been expecting you."

Q. What took place after that? A. He said, "Where can we talk?" and I said, "We can go out in my car." We went out to my car parked at the curb, and there we talked.

Q. What did he tell you after you got in your automobile?
A. He said, he asked me, "How long have you been
13278 in the movement?" and I told him. He asked me

what schools I had attended. He asked me what club I was in, what was my position in the club and who was my section organizer.

Q. Did you give the man who identified himself as a friend of Ernie's all this information? A. Yes, I did.

Q. Were any arrangements made for further contact after this meeting? A. Yes. He told me that he would contact me again in two or three weeks, at the same time.

Q. Did he at this first meeting tell you anything about the type of work you would be doing? A. Yes, he said something about I would be running a No. 40 printing press.

Q. Did he tell you where this printing press was located? A. No.

Q. Did he tell you anything further about what you were to accomplish with the printing press or what your duties would be? A. Yes. He said that we were going to set up a printing press and that it was to be used to move masses of people in time of crisis.

Q. After this first contact with this man who identified himself as a friend of Ernie's, were you later contacted by
the same man? A. Yes. He came back in about, I
13279 say, February, about the middle of February. He
came back again.

Q. What year, Mr. Scarletto? A. 1951.

Q. What took place at this second meeting? A. He knocked on the door and he said, "can we go out to the car and talk?" and I said, "Oh, yes." So we went back out to the car. He said, "Say, can you operate a typewriter?" I said, "No, I have never used a typewriter." He said, "Well, that is all right." He told me that the following Saturday he wanted me to meet him in Downey, California on the corner of Firestone and Lakewood Boulevard. That is about 30 miles from my home.

Q. Did you meet this contact or this man in Downey, California? A. Yes. On Saturday morning I drove my car down and parked it in a parking lot, and I walked down to the corner where I was to meet him at nine o'clock.

Q. Approximately what date was this that you met this contact? A. I would say it was in the middle of February of 1951.

Q. What took place after you arrived at Downey, California? A. As I walked down to the corner, to my surprise I ran into an old friend of mine from the Marxist
13280 Institute, Irving Ritkes. I was surprised to see any one else there besides the man I was to meet, and I said, "What are you doing here?" and he smiled and said, "The same thing you are." We both waited until our contact came there.

Q. What happened after the contact arrived? A. He drove up in his automobile and he said, "You two fellows get your cars and follow me," and that we did. We followed him over to the next town, which is named Norwalk.

Q. What happened after you arrived at Norwalk, California? A. He circled around the neighborhood there off the main highway, and he pulled up on a side road at the home which I later learned was Dick Morton's, pulled up there and parked his car.

Q. What happened after you got out of the car? A. He introduced me to Dick, and he said, "Dick, you and Irving and Danny will be working together."

Q. When you say he introduced you, who are you talking about? A. This man who said he was a friend of Ernie's. I didn't know his name until they called him by the name of Kinney. He answered to the name of Kinney, by Ritkes and Dick.

Q. Did you know this man by any other name other than Kinney? A. No, I didn't, not until that time, until
13281 he was identified. I got his license number and later identified him by a picture at the FBI.

Q. After you were introduced to Dick Morton, what took place then? A. We all went out to the garage, which was closed up and we went in the side door. The big double door was down and locked. We went in the little side door. There all four of us uncrated and set up this printing press.

Q. Name the four people who were uncrating the printing press. A. Irving Ritkes, Dick Morton, and this Kinney, and myself.

Q. When you say uncrating this printing press, was it a new or used printing press? A. It was a new printing press, still in the crate.

Q. Do you know the type of printing press that was? A. I think it was a Chandler & Price, if I am not mistaken. It was a hand-operated printing press.

Q. After you had uncrated the printing press, what took place? A. We set it up to see if it would work all right.

Q. Did the machine work all right? A. Yes, it worked.

Q. After you had ascertained that this machine worked all right, did anything else happen during the day 13282 that you were there? A. After we got the machine to working we didn't run off any prints because we didn't have the proper ink. We just made sure the mechanism was all right, and Dick Morton and Irving Ritkes stated that they were both expert printers and were both employed in the printing industry. Then Kinney said that those two men were to teach me how to operate the machine and that I would take instructions on whatever date we would set up. That is what he told us.

Q. Did you receive any instructions that first day that you were out there, out at Dick Morton's garage? A. Yes. He showed me some of the working operations of the machine and told me how to care for the rollers. He told me never to lay the rolls down because they might get a flat side on them. It was the general operation of the machine that day.

Q. Did the three other men remain in the garage with you all the time that you were at Morton's house that day? A. Yes, we all remained in the garage.

Q. After this first trip out in the garage did you return to that garage at any other time? A. Yes. Kinney shook hands with me, and he left. He said that I would never see him again, that I would be responsible to these other two

men. They told me to come out on Tuesday nights
13283 for my instructions on the machine.

Q. Did you go out on Tuesday nights thereafter? A. Yes, and I complained to Ritkes that the machine was too far away from my house, and there was a lot of traffic getting out there and back, about 60 miles. He told me to quit the griping, that there were three other machines and they were farther yet.

Q. You were employed during this time, were you not? A. Yes.

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By Mr. Story: What were you doing? A. I was working out at the Lockheed Aircraft.

Q. How many hours a day were you working? A. I was working eight hours a day.

Q. After you had complained to Ritkes did you go to this garage at Dick Morton's house any other time? A. Yes,
I was there seven or eight times, I think, once a
13284 week.

Q. Did anyone go there with you? A. Irving went with me a couple of times.

Q. Was Dick Morton present on these occasions? A. Yes, he was always home because he left the garage locked.

Q. In addition to this printing press, were there any other supplies in this garage? A. Yes. When I first started taking my instructions there was a large supply of paper in the garage, but Irving Ritkes when I first started going out there had me meet him on San Fernando Road, and we transferred more paper and ink and fluid to clean up the machine, to clean the rolls with. He gave me a form. He wanted to see if I could set up the machine with this form that he made up.

Q. Where did he give you this form that you mentioned? A. On the San Fernando Road. It was taken from his car and put into my car.

Q. Will you describe to the Panel what this form looked like? A. It was a frame of iron, and in the center all the print was put in. It was just a practice form. It was just for a beginner to learn how to set up a machine. Then it had the pins around the edges, and blocks to hold the print in this form. It was wrapped up in cardboard about that big (indicating).

13285 Q. What did Ritkes tell you to do with this form after he gave it to you? A. He wanted me to run off some prints and see how I could run the machine. That was after I had had a couple of instructions. He said that after he saw how I could run the machine, if I proved all right, he wanted to have a practice run. He said he wanted to see how long it would take him to make up the form, get it to me, and have me go out and run off the number of leaflets which they would want and get them to the distribution points.

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13286 Q. Mr. Scarletto, I hand you a document and ask you if you can identify that document. A. Yes, I can.

Q. What is that document? A. That is a picture of the form which I used.

Q. Are there any initials or is there any identification appearing on the document which causes you to identify it? A. Yes, there are my initials and the date that I got it.

Q. This is a photograph of the form that you were given by Ritkes, is that correct? A. Yes, it is.

Q. How many copies of this form did you print when you took it out to the printing press? A. Oh, I would say I might have printed about 60 or 80. After I got it to working I ran off about 60 or 80. The ones that weren't any good I just threw away.

Q. What did you do with these prints? A. Irving wanted to see them. Some of them I turned over with my reports to the FBI, and the rest I took over and showed them to Irving, and he was very pleased at the progress I had made.

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13287 Q. Mr. Scarletto, you have stated that there was a supply of paper in this garage at one time. A. Yes.

Q. Can you give the Panel any indication as to the amount of paper that was stored in the garage?

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The Witness: It was on a large box, larger than this table. I would say about one-half times larger than this table, and it was stacked about that high with paper all over the top.

By Mr. Story:

Q. What other material was stored in the garage? A. There was a large can of paste ink which is used in
13288 that type of printing, and cleaning fluid for the machine, and a bunch of clean rags. We always had to have rags.

Q. At Approximately when was the last time you went to the garage at Dick Morton's house? A. I would say about May of '41. I would say, rather around the first part of May or the end of April, somewhere in there I stopped going out.

By Mr. Story:

Q. During the time that you were in the Communist Party underground as you have described it, did you have any association whatsoever with other Communist Party units? A. I was told that I was never—I was told by Irv. Irving told me when we first started in this work that I was severed from the club, of course, and that I was never to be seen in public again at any function. I was never supposed to go out with any leaflets, never to go to meetings, no leaflets, and never to be seen at any picket lines or any mass meetings. I wasn't supposed to associate too much with my former Communist Party friends.

Q. Did you pay Communist Party dues during this time? A. Yes. He told me that I was to go by and pay all my dues and sustainers and drive money which they would be asking for, by quotas—he said I still had to fulfill my quotas—to Mim Schaffer.

13289 Q. Did you pay your dues to Mim Schaffer? A. I paid my dues, my sustainers, and every time there was a quota or fund raising campaign I had to pay that all to her.

Q. Mr. Scarletto, were you given a security examination at any time in connection with this underground work?

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The Witness: Yes. I would say about the second week in May I received a phone call—

Mr. Abt: May we have the year?

The Witness: Of 1951. I received a phone call from my contact, Irving, and he said that there would be a man call me up and identify himself as Lou. He said, "He will call you up in a day or so," and I was to get in contact with him.

By Mr. Story:

Q. Did this Lou ever contact you? A. Yes. He called me and said, "Hello," and asked me who was talking. I said "Danny." He said, "This is Lou." He said, "I want you to meet me tomorrow night. Drive your car to the Wabash Theater." That is a theater which is close. "In the City Terrace, and park your car there at about a quarter to eight."

Q. Did you meet the man who was to identify himself as Lou at the Wabash Theater? A. Yes, I drove my 13290 car there and I parked and waited, and soon a man walked up to the car and said, "I am Lou."

Q. What took place after he walked up and identified himself as Lou? A. I said, "Who sent you?" He said, "Irv." So I opened the door. The window was rolled down. I said, "Get in." He congratulated me on my being so security conscious.

Q. What did you do after Lou got into your car? A. He told me to drive and he would tell me where to go. He took me about six or seven blocks away up in the hills there and had me park in front of an apartment house.

Q. What did you do after you parked in front of the apartment house? A. He got out of the car and I got out and we walked up the steps and knocked on the door of this apartment on the right. I had never been there before in my life.

Q. What happened after you knocked at the door of the apartment? A. This lady answered the door and he introduced me to her. He said, "I want you to meet Lillian Carlson." In turn she introduced me to her husband, Frank Carlson.

Q. Were there any other people present at Carlson's home when you arrived? A. Yes. There was an elderly woman, who left after I arrived.

13291 Q. After the lady left, then what people were present at Carlson's house? A. There was Lillian Carlson, Frank Carlson—I know him, I had met him before —and this Lou, who later proved to be Lou Barron.

Q. What took place after you were introduced and the elderly lady left the house? A. They told me to come into the kitchen, which was the next step right through the door, first the living room and then the kitchen. They told me to sit at the table. I sat down and they pulled out their papers, whatever they had there, and Lillian Carlson sat at my left, Lou sat across the table from me, and Frank Carlson sat in a chair in the doorway.

Q. Was Frank Carlson in the same room with you? A. He was in the doorway right behind me, about from here to that chair there. He sat in the chair and listened and watched while it went on. I turned around and looked at him several times.

Q. Did Frank Carlson hold any position in the Communist Party in Los Angeles at that time? A. He came to the Marxist Institute one night right after I first started there in late 1949, and he was introduced by the instructor, Gunther Michel, as county organizer. He sat in the back of
the room for about an hour or maybe a little shorter,
13292 I would say about three-quarters of an hour, and
then he got up and left.

Q. When was the last time you have seen Frank Carlson? A. The last time I saw Frank Carlson was at the trial in Los Angeles, California.

Q. Approximately what date was that? A. I would say about February 22, or something like that. I don't remember the date right offhand. He was there every day of the trial, of course, but the last time I saw him was the last day I was there.

Q. That was while you were testifying? A. Yes, while I was testifying.

Q. Was that in February or March? A. I think it was in March.

Q. Approximately how long ago was that? A. Just a couple of weeks ago, two and one-half weeks ago.

Q. After you had gone into the kitchen, what took place next? A. They told me that I had a lot of questions to answer.

Q. Tell the Panel how this group received you and what they asked you and what they did. A. She took out a form, a large form—

Q. By she, whom do you mean? A. That is Lillian Carlson. She and Lou read over questions from this form. They laid
another piece of paper alongside the form and
13293 as I answered the questions they filled in the other
piece of paper to compare with the questions.

Q. What questions did they ask you, Mr. Scarletto? First, how long did this interrogation take? A. Four hours.

Q. Generally tell the Panel what type of questions you were asked. A. They first started off by where I was born, and how old was I, when was I born, of course, and I had to give an account of my parents, where they were born and if they were foreign-born, to which I answered yes. Then I had to give an account of my life from the time I could remember. They wanted to know where I went to school, in what town, what grades, and the name of the principals of the schools, and the names of the teachers if I could remember them. They wanted to know the names of all my brothers and sisters and what schools they went to. They wanted to know all the jobs I held in my life, what unions I belonged to, what jobs my family was doing at present. I told them that my mother was working in the meat packing industry and my brother was working in the steel industry. They said, "Oh, that is fine, two basic industries."

They wanted to know what unions they belonged to, and they wanted to know what strikes I had ever participated in. They wanted to know when I went into service, what
was my position in the service and what branch
13294 of the service I was in. They wanted to know if I
knew any FBI agents or any federal employees.
They wanted to know if I had any relations who were civil service or federal employees, if I knew any police or FBI men or any government agents of any description. They wanted to know if I knew any Army officers or Naval officers.

Q. Did you know any Army officers or Navy officers? A. Yes, I have a personal friend who has just retired, who is a Naval Air Admiral, Admiral Perice.

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13295 Q. Mr. Scarletto, you were testifying about the
security interrogation which you were given by the
Party. Who did the interrogation? A. Lillian Carlson and Lou Barron.

Q. Were you asked for the names of other Communist Party members, for references? A. Yes.

Q. What did you tell them? A. First I didn't want to give them the names, but they told me it was all right, so I just told them who my section organizer was and who my chairman was, that was all.

Q. Were you searched during this interrogation? A. They stopped the interrogation at one point and told me to stand up, which I did, and they said, "Put your wallet and everything on your person out on the table." At that point I laid out my wallet and my car keys, my hanker-

13296 chief, and what change I had in my pockets. They said, "Is this all?" And I said, "Yes."

Q. What took place after you put your personal effects on the table? A. Lou Barron picked up my wallet and dumped all its contents out on the table, and he riffled all through my wallet to be sure he didn't miss anything. They both went over every little slip of paper and everything I had in my wallet, in detail. They examined it very closely.

Q. Were you criticized for anything that was found in your wallet?

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The Witness: Yes, I was. My chairman had met a member that was in the first club I was ever in, and he wanted to see me and gave her his address, which was his handwriting, and she gave it to me. I put it in my wallet. I was criticized very much for having that.

I also had the home address of Dick Morton. He had no telephone; and I had the telephone number of Irving Ritkes in my wallet. They both criticized me on my breach of security, and said that they were amazed to find that a man of my standing in the Party would have some embarrassing information on him in case he was picked up. They pushed them in front of me and said, "Here, destroy these."

And right in front of them I tore up the phone number
13297 and address of this Party member.

There was a $20 bill there, and she picked it up and said, "We will just keep this for the Party," and I reached over and took it back. I told them it was my grocery money and it was all I had on me at that time.

By Mr. Story:

Q. Did anything else take place during their search of this wallet? A. That is all I can remember right now.

Q. Mr. Scarletto, you were telling us this morning about instructions that you received prior to attending the section convention back in 1948. A. Yes.

Q. Do you recall at this time any other security regulations that you were required to conform with before going to this convention? A. Yes. I was told to leave my driver's license and whatever identification I had in my wallet, at home.

Q. Did you do that? A. Yes, I did.

Q. Was your wallet checked to make sure that you were carrying out the instructions? A. No, but I carried them out in case it would be checked.

13298 Miss McHale: While you are on that subject, may I ask a question?

Mr. Story: Yes, Dr. McHale.

Miss McHale: Was this park in which the meeting was held a city-owned park? Was that State property?

The Witness: It was private property. It is not in the park. It is right across the street from the park. The name of the street is Echo Park.

Miss McHale: That is why I was confused. I know some of them are city-owned. I was wondering how you went about renting it for this meeting.

The Witness: I don't know how that was done.

Mr. DeNunzio: Echo Park is the name of the street.

Miss McHale: I understand.

By Mr. Story:

Q. Mr. Scarletto, at the end of this security interrogation that you had at Frank Carlson's house, did you receive any further instructions? A. Yes. She said—

Q. "She"? Who? A. Lillian Carlson. She said that I was supposed to keep in contact with Mim Schaffer and pay her my dues and sustainers, and it was all right for me to tell her that I was interrogated, but I was not supposed to go to any Communist meetings.

13299 She said that my underground contact, Irving Ritkes, would get in touch with me.

Q. Did you see Ritkes at any time after this interrogation? A. Yes, I saw Ritkes about five or six weeks later. He called me up and wanted to talk to me, and I went out and met him that evening. He said, "We will meet at the usual place," and I drove down and met him there.

Q. What took place when you met Ritkes on this occasion? Give us the date, also, Mr. Scarletto, the approximate date. A. I would say it was around the beginning of July.

Q. What year? A. 1951. I told him that Mim Schaffer wanted me to do some work in the IPP, and he told me, he said—

Q. Excuse me. What is the IPP? A. Progressive—let me see. I can't think of it right now.

Q. Would that be the Independent Progressive Party of California? A. Yes.

Q. All right, continue. A. I told him she wanted me to do some work in there, and he told me, he said, "What I told you still goes. You are not supposed to do anything."

He said, "Tell her that you will do it, and to hell
13300 with her. Don't do it."

So then I told him about the interrogation. I said, "Boy, that man Lou you sent over, they sure wrung me out." He said, "You should be proud that the Party takes such precautions." He said everybody in our status had to go through the same thing.

Q. Mr. Scarletto, were you required to re-register in the Communist Party after you first joined the Party?

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The Witness: Yes, we had to re-register every year, and they told us if the Party didn't re-register you they would drop you. Every year I received a re-registration.

By Mr. Story:

Q. What took place at these re-registrations? A. I had to go to my section organizer, and it was done in private. She would take me into the bedroom where no one else in the house could hear what was going on, and she had a form from which she would read off the questions. Every year we had more questions. They went into more detail.

Q. When was the last year that you were re-registered in the Party? A. I think it was about November of '51.

Q. Were you required to fill out any forms or any applications or anything of that nature, during these
13301 re-registrations? A. No. She did all the filling out. I just answered the questions which she read from the form.

Q. Mr. Scarletto, did you receive any instructions as to what you were to do in the event that you were arrested in connection with Communist Party activities? A. Yes, I did.

Q. Will you tell the Panel who gave you those instructions, and approximately when they were given? A. Mim Schaffer gave us those instructions, and we were told—

Mr. Abt: May we have when and where?

By Mr. Story:

Q. When? A. That was at the home of Mim Schaffer, I would say in the middle of 1950. We were told there that in case we were ever picked up by the FBI, we were not supposed to answer any questions. In case we were taken in we were not supposed to talk, and demand to see our lawyer. In case the FBI came to our door, to slam the door in their face and don't talk to them. If they called us on the phone and you didn't know who you were talking to, don't talk.

She also told us that the FBI was calling on different members, saying that they were a collection agency or a credit agency, and were checking up on someone's credit and trying to pump information from Party mem-
13302 bers that way. Just to hang up the phone on all this kind of calls.

We also got a leaflet, one side printed in Spanish and the other side printed in English. They had all these do's and don't's in them.

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Q. Where did you receive this leaflet or pamphlet with instructions on what to do? A. At the home of Mim Schaffer, at a Chairmen's meeting.

Q. The Chairmen of what? A. That is of all the clubs in the El Sereno District.

Q. Was this a Communist Party meeting? A. Yes.

Q. Was this pamphlet put out by the Communist Party? A. IPP. No; CRC, I think it was.

Q. Which was it, can you recall now? A. CRC. That is it.

Q. What is the CRC? A. Civil Rights Congress.

Q. You received one of those leaflets? A. Yes, I
13303 did.

Q. Were you ever picked up or arrested in connection with Communist Party activities? A. No.

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Q. What position, if any, did Miss Stoughton have in the Party? A. She was Chairman of the Mexican Concentration Club, and she was also Section Educational Director at that time.

Q. Now, tell us what was said in terms of the Korean war at this meeting? A. Alice Kanamearu—she is of Korean descent, and her husband is Japanese. She came to the meeting that night. She was the Press Director at the time. She said she could no longer handle the Press Director's job of the club because she and her husband, who was about to go into the service, thought it would prove embarrassing
to him if she was caught doing any of this kind
13304 of work. Gertrude Stoughton told her, she said,
"You are wrong. We should encourage our husbands to go in the service because in the Russian revolution large numbers of men were encouraged to go over to the Communist side and were assured safe conduct. We should have a plan where we can do that in the American Army, too."

Alice Kanamearu said, "Oh, I didn't look at it that way. Then he would have opportunity for sabotage, too."

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Q. What kind of a meeting was this, Mr. Scarletto? A. It was one of our regular unit meetings that we had once a week.

Q. Did Gertrude Stoughton make any other statements at this meeting, that you can recall? A. She said that the same thing was done in the Italian war. She said a lot of Italians were encouraged to desert the Fascist Army and go over to the side of the Allies.

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13305 Q. Did she make any other statements concerning the Korean war? A. She said we should have a plan set up so where our soldiers would be insured safe conduct through the enemy lines.

Q. Through the enemy lines where? A. In Korea.

Q. This entire discussion was concerning the Korean war which was then going on? A. Yes.

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Q. What was said concerning sabotage at this meeting?

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13306 The Witness: Gertrude Stoughton said she thought it would be a good idea if I went back in the Navy Air Corps, which would give me a good chance for sabotage, and I agreed with her.

By Mr. Story:

Q. What position or what kind of work did you do in the Navy Air Corps? A. I was a mechanic and a gunner.

Q. When you say a mechanic, did you work on motors or parts of planes? A. I worked on the engines, and at one time I had charge of the surface control, all the aircraft controls.

Q. Did Gertrude Stoughton know that? A. Yes, because I had told her about it before.

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13308 Q. Do you remember any other Communist Party
13309 meeting where the Korean war situation was discussed? A. Yes, I remember another one.

Q. Tell us the time of the meetings, where the meeting was held and the statements that were made concerning the Korean war. A. About the first of December, 1950, we had a meeting at the home of Margaret Todd, of El Sereno, on Mallard Avenue, and that night Gertrude Stoughton, the chairman, said that some of our officers in North Korea were killed in their sleep by their orderlies, who were Koreans, who disappeared after they cut the officers' throats.

After that statement was made, Margaret Todd said, "I love the Commies."

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13312 Q. Mr. Scarletto, do you recall an incident where a Communist Party member in Los Angeles by the name of Warwick Tompkins was expelled from the Party? A. Yes, I recall that incident.

Q. Tell the panel approximately when you first heard of this incident? A. I forget just when I got that letter. I was representing our chairman at a chairmen's meeting that night, and we were given mimeographed copies concerning Warwick Tompkins and his wife, Helen, of the Midtown Section, Los Angeles, announcing that they were expelled from the Party for supporting Anna Louise Strong and trying to get some other Communist members to support her, too.

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13313 Q. Did you receive this letter that you have just mentioned, in your official capacity as an official of the Communist Party?

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The Witness: It was to be taken and read to all clubs. Every member had to know about it so they would have no contact with this man, so they would all know he was a traitor to the Party.

By Mr. Story:

Q. Where did you get this letter or document? A. At a chairmen's meeting.

Q. Were you told what to do with this letter?
13314 A. Yes. I was told to take it to the club and read it

and see that all members got word of it.

Q. Did you read this letter at your club meeting at a later date? A. Yes.

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Q. Will you tell the Panel the contents of this letter?

Mr. Abt: I object on the grounds stated.

Mr. Brown: Objection overruled.

The Witness: It was said that Anna Louise Strong had circulated some slanderous remarks about Russia, and that the United Nations was responsible for the shooting war.

By Mr. Story:

Q. What was said concerning the activities of Tompkins in this letter? A. It was said that he tried to organize some Communist members to support Anna Louise Strong.

Q. Support her in what? A. In her ideals and her distributing of leaflets.

Q. What was the nature of those leaflets? A. It just said slanderous remarks against Russia.

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13317 CROSS EXAMINATION

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By Mr. Abt:

13457 Q. Now, Mr. Witness, you testified here yesterday, did you not, as follows, at page 11265:

13458 By Mr. Story:

"Q. What was said concerning sabotage at this meeting? A. They knew that I was in the Navy Air Corps and they thought it would be a good idea that I should—"

And then I interrupted with an objection, and then you continued:

"Gertrude Stoughton said she thought it would be a good idea if I went back in the Navy Air Corps, which would give me a good chance for sabotage, and I agreed with her."

Did you not so testify? A. Yes.

Q. You also testified with reference to this portion of the conversation in the Los Angeles trial, did you not? A. Yes, I think so.

Q. And is this not all that you said on the subject in Los Angeles, at page 3239:

"Q. What else was there about sabotaging airplanes? You mentioned something about sabotaging airplanes. A. I have done aircraft mechanical work for years, including the three years as an aircraft mechanic in the Navy Air Corps, and I said, 'I really could keep a lot of planes on the ground that should be in the air.' They just really congratulated me on that."

13459 Were you asked that question, and did you make that answer? A. Yes.

Q. Now, you testified, did you not, a few moments ago here, that you reported this conversation to the FBI in the same way that you testified to it in Los Angeles? Didn't you so testify a few moments ago? A. Yes.

Mr. Abt: Mr. Chairman, we now move that the Panel direct the petitioner in this proceeding to produce here this witness' report to the Federal Bureau of Investigation in which he says that he reported the conversation which occurred at Gertrude Stoughton's house in September or October 1950.

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13461 Mr. Brown: The motion is denied.

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13601 **Timothy Evans, Jr.** was called as a witness by and on behalf of the petitioner, and having been first duly sworn, was examined and testified as follows:

Direct Examination

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By Mr. Story:

13605 Q. Did you receive a membership card in the Communist Party after you joined? A. No, I joined the Party after the 1948 registration and I didn't receive a card for 1948.

Q. Did you receive a membership card in 1949? A. No. Prior to the registration in 19—

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13606 Q. Were you told why you did not receive a Communist Party card in 1949?

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The Witness: Yes, we were told why we did not receive cards for 1949, membership cards for 1949.

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The Witness: The place was Nora Lafferty's. That was the place. The time was in the late fall of 1948. That
13607 takes care of the time and place. And she said thusly. That there would be no cards issued for 1949 because of security reasons.

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Q. Did Nora Lafferty hold a position in the Communist Party at the time she made this statement in late 1948? A. Yes.

Q. What position did she hold? A. She was Chairman of the Harriet Tubman Club.

Q. How long did you continue as a member of the Harriet Tubman Club, Mr. Evans? A. I was a member of the Harriet Tubman Club until the club was divided into groups—I mean into squads—in 1948.

Q. How many squads were formed out of the Harriet Tubman Club? A. The club was broken into two squads.

Q. Were you told by any official in the Communist Party when this action was being taken? A. Yes, I was.

Q. What were you told and who told you?

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13608 The Witness: I was told—at a meeting we were told that the Harriet Tubman Club would be divided into squads, and that each squad would have its group leader and that this group leader would have full authority over the squads. He would take care of the collection of dues and of sustainers, and because of security reasons no new membership cards would be issued for 1949, and if there were still existing old cards should be collected and destroyed, preferably burned.

We were also told that a new code system would be worked out whereby a record for keeping dues and sustainers would be kept by numbers instead of names. At that particular meeting, the club was divided into squads.

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Q. Mr. Evans, would you tell the Panel the person making this statement? A. Nora Lafferty made the statement.

Q. And did she hold a position at the time she
13609 made that statement?

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The Witness: She did hold a position. She was chairman of the club.

By Mr. Story:

Q. Were these squads that were formed out of the Harriet Tubman Club numbered or given names?

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Q. Were you assigned to one of these squads? A. Yes, I was. I was assigned to Nora Lafferty's squad.

Q. How long did you remain a member of Nora Lafferty's squad? A. A short time after the club was broken into squads, the section leadership became alarmed at the inactivity of the squads and soon the original membership of the club started meeting together again.

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13610 Q. Mr. Evans, after the Harriet Tubman Club had
gone back together again, how long did you remain a member of this club? A. I was a member of the Harriet Tubman Club until another reorganization took place in the summer of 1950.

Q. Did you hold any position in the Harriet Tubman Club at any time? A. Yes. Shortly after we went back together, I was made a club chairman.

Q. You mentioned another reorganization in the summer of 1950. Where did you first hear of this reorganization which you state took place in the summer of 1950?

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THE WITNESS: In July 1950 at 717 Franklin Street, Oakland.

By MR. STORY:

Q. Was this at a Communist Party meeting or what kind of meeting was it?

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13611 THE WITNESS: It was a Communist Party meeting of the West Oakland section.

By MR. STORY:

Q. Tell the Panel what took place at this meeting. A. Ray Thompson, a section official, told the members at this meeting that the world situation had created quite a bit of alarm in the Party, and for that reason the Party was adopting stricter security measures, that the clubs would be divided into smaller groups, and that each group would consist of no more than five people, and that these five people in each group were not to know who the members of the other group was, and that the leader of each group would be the sole contact between the section and his group.

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13612 Q. Had you finished your testimony concerning what happened at this meeting? A. No, not quite. I think I left off where the group leader of each group would be the sole contact between his group and the section, and that the group leader should be a trusted comrade, and that strict security measures and screening processes would be adopted in order to root out unreliable comrades.

Q. After this meeting, did this reorganization actually take place in the Communist Party? A. Yes. Shortly after the meeting the reorganization did take place, and the clubs were divided into groups.

Q. Were you assigned to one of these groups? A. Yes, I was.

Q. What was the name of your group? A. The groups carried numbers instead of names. The number of my group was group No. 4.

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13613 Q. Mr. Evans, did any other reorganization take place in your Communist Party clubs at any time during your membership? A. After the clubs were divided into groups, another reorganization did take place in the Party.

Q. When did that reorganization take place? A. We had a Party reorganization shortly after 1950 at a meeting of the West Oakland section. Billy Wachter, county education director, told us that the county office of Alameda County would be dissolved and the two counties,
13614 Alameda and Contra Costa County would be merged
to form a regional, and this regional would be directly under the state office.

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13615 Q. Mr. Evans, you mentioned a Billy Wachter.
13616 Did he hold a position in the Communist Party?

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The Witness: Yes, she held a position.

By Mr. Story:

Q. What position did she hold? A. She was county educational director of Alameda County.

Q. Was this at an official Communist Party meeting where Wachter gave this statement? A. It was.

Q. Mr. Evans, how long did you continue as a member of a group which was formed out of the reorganization in the summer of 1950? A. I continued to be a member of this group until another reorganization took place in early 1951.

Q. Do you recall when in 1951 the other reorganization took place? A. It was, I think, around January of 1951.

Q. Where did you first hear of this reorganization which took place in early 1951? A. I first heard it at the West Oakland section convention.

Q. When was that held? A. It was in December of
13617 1950.

Q. Where was it held? A. It was held at the home of Emma Stanley, 840 Delaware Street, Berkeley, California.

Q. Now, tell the Panel what was said at this convention concerning the reorganization which took place in early 1951.

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The Witness: At the convention of the West Oakland section in 1950, the Chairman told us that the club, the groups weren't operating efficiently and that security measures weren't being followed, and that the groups would be redivided in order to place active members in each group. He said that each group should have a representative number of Negro and white comrades, it should have a representative number of male and female, there should be at least one industrial worker in each group, and also that after the groups are formed, each member of the group should be given a marked organization to work in outside of his regular Party activity.

By Mr. Story:

Q. Were you given any instructions concerning the security measures to be followed once this reorganization took place?

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13618 The Witness: Under this new organization, the groups were not to tell the time nor the place of the meetings, and all contact—the group leader was to contact all of his members concerning the place and the date of the meeting, and the telephone as an instrument of conveying messages was banned for Party use. Also that they should continue the use of the number system for keeping of records of dues and sustainers, and the use of last names should be also banned, and there should be no intercommunication between groups.

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Q. Mr. Evans, you mentioned the number system. What do you mean by the number system in keeping of records of dues and contributions?

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The Witness: This method of number system or alphabetical system was a system that could be devised by any group that would not reveal the identity of the person so stipulated on the card, but the group could understand who it was, and it was just for a method of keeping records so that if the card was lost, nobody could trace that particular person as being the one who paid those dues. 13619

Q. Did this reorganization that was discussed in the latter part of 1950 actually take place? A. Yes, it did.

Q. What unit were you assigned to after the reorganization? A. After the reorganization, I was assigned to one of the groups.

Q. Did you hold any position in this group? A. I was the group leader.

Q. Did you hold any other position in the Communist Party in addition to being group leader? A. Yes. I was educational director for the West Oakland section.

Mr. Abt: May we have a time, Mr. Chairman?

The Witness: 1951.

Mr. Forer: That was the West Oakland section?

The Witness: Yes, West Oakland section.

By Mr. Story:

Q. When in 1951 did this reorganization take place? A. The reorganization took place a short time after the con-

vention. It took place in either the latter part of
13620 January or the early part of February.

Q. How long did you continue as the educational director for the West Oakland section? A. I was educational director from the early part of 1951 until the fall of 1951.

Q. Mr. Evans, did you attend any conventions during the time you were a member of the Communist Party? A. Yes, I attended three conventions during my membership.

Q. What conventions did you attend, and when were they held? A. I attended the West Oakland section convention of the Communist Party in 1948.

Q. And when in 1948, Mr. Evans? A. It was in the late fall of 1948. I attended the West Oakland section convention in December 1950, and I attended the regional convention in January of 1951.

Q. Where was this first convention that you attended in the fall of 1948 held? A. It was held at the home of Nora Lafferty.

Q. Where was Nora Lafferty's home? A. In Oakland.

Q. How many delegates attended this convention? A. Approximately 50 delegates.

Q. Were any steps taken by the Communist Party
13621 to conceal the activities of this convention?

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The Witness: No steps were taken by the Party to conceal this convention.

By Mr. Story:

Q. Where was the second convention held that you attended? A. The second convention was held at Emma Stanley's house, 840 Delaware Street, Berkeley, California.

Q. How many delegates were at the second convention, Mr. Evans? A. Between 15 and 20 delegates.

Q. Were any steps taken to conceal the second convention that you attended from the general public?

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THE WITNESS: The second convention as well as all the events that led up to it were surrounded by a thick cloud of secrecy.

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13622 Q. Will you tell us what measures were taken to conceal this convention?

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THE WITNESS: On the morning of the convention we were told to assemble at the home of Mary Green. All the delegates were told that.

By MR. STORY:

Q. Was that in Oakland? A. That was in Oakland, yes. After we had assembled, there, the delegates were divided into groups of three, and we were told to use as few cars as possible. The place where the convention was to be held was not told to the entire group, but was told only to the driver of each group. We were told on leaving Mary Green's house to leave in a casual manner, and when we arrived at the place of the convention, to park at least two blocks from its location.

13623 Q. Who gave you these instructions? A. The Chairman of the West Oakland section.

Q. What was the name of the chairman? A. Roscoe Proctor.

Q. Did you go to Mary Green's house on the day you were instructed to go there? A. I did.

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13624 Q. Mr. Evans, you were testifying about the convention you attended in December 1950. I think when the noon recess was called, you were discussing the delegates that had collected at Mary Green's house; after you left Mary Green's house, approximately what time did you arrive at the convention hall? A. We arrived there between 9 and 9:30 in the morning.

Q. How long did this convention last? A. The convention lasted until about 9 o'clock that night.

Q. Where did the delegates have lunch on that day? A. We were told to bring our lunch because nobody would be permitted to leave the place of the convention.

Q. Did you observe any delegates leaving the convention during the first day of the convention? A. I observed, but no one left the convention hall.

13625 Q. What took place at this convention? A. We reviewed our work for the past two years and we placed a lot of emphasis on strict security measures—

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THE WITNESS: And a discussion of security measures to protect the various comrades in the performance of their duty. It was also at this convention that we discussed the peace campaign and the relationship of the Party to the press. That was the PW newspaper. And we discussed the reorganization program which took place in the groups in 1951.

By MR. STORY:

Q. After this convention was over, how did the delegates leave the convention hall? A. At the conclusion of the convention, the chairman directed how the delegates would leave. They came in threes with a specific driver, so he would tell the driver when he could take his group and leave. So as he would call the driver, the people who came with him would leave. And he would always give each driver a chance to reach his automobile and leave before he would call the next driver. I would say at about five minute intervals. 13626

Q. Now, Mr. Evans, you have testified that you also attended a regional convention of the Communist Party. When was this regional convention held? A. The regional convention was held in January of 1951.

Q. Did you attend this convention as a delegate? A. Yes, I did.

Q. How were you selected to attend this convention? A. At the West Oakland section convention, we elected delegates to attend the regional convention, and I was elected as one of the delegates at the West Oakland section to go to this particular convention.

Q. Where was the regional convention held?— A. The regional—state the question again.

Q. Where was the regional convention held? A. The regional convention was held at Eastgate Lodge, 3138 Grove Street, in Berkeley.

Q. About how many delegates attended this convention? A. We had between 30 and 40 delegates in attendance.

Q. How were you directed to this convention, Mr. Evans? A. On the Saturday before the convention was to convene, we were directed to meet at Mary Green's house, and upon arriving there we were told that we would be directed to the convention hall.

Q. Did you go to Mary Green's house? A. I went there as instructed to do so.

13627 Q. What happened after you arrived at Mary Green's house? A. Upon arriving at Mary Green's house, she told me that I was to drive the delegates to the convention, that is, the delegates from the West Oakland section. She said, or she gave me the address and told me to drive the delegates to 3116 Grove Street.

Q. How many delegates were selected from the West Oakland section? A. Approximately five. It was five of us I think, four regular and one alternate delegate.

Q. What happened after you arrived at 3116 Grove Street? A. When we got to 3116 Grove Street, we were met by West Bodkin, who then directed us to the convention hall.

Q. Did Bodkin hold a position in the Communist Party at that time? A. Yes, he did.

Q. What position did he hold? A. Bodkin was county organizational secretary.

Q. What time did you arrive at the convention hall? A. We arrived there between 9:30 and 10 o'clock.

Q. How long did you remain at the convention hall? A. We stayed there until about 6 o'clock that evening.

13628 Again we were told to bring lunch as no one would be permitted to leave the convention.

Q. What took place at this convention? A. We had our usual round of speeches by different people. Mickey Lima made a speech for the necessity of recruiting more people in to the Party, as insurance of our own safety. He mentioned that this was one of the best security measures that we could follow, that is, to align ourselves with more people. He also mentioned the necessity for mass concentration, especially in other well organized groups, so if the Party was attacked, or if individuals in the party were attacked, at least they would have friends in other organizations. He spoke on a peace program and the war in Korea.

A fellow by the name of Paul Schlipe made a talk on industrial concentration and necessity of infiltrating the different unions, especially the key unions. Another fellow by the name of Matt Crawford made a speech on the necessity for the establishment of a Negro nation in the South.

Q. Mr. Evans, you mentioned Mickey Lima. Did he hold a position in the Communist Party at the time you appeared in this convention? A. Yes, he did.

Q. What position did he hold? A. Mickey Lima

13629 was the chairman of the East Bay region of the Communist Party.

Q. When was the last time you saw Mickey Lima? A. The last time I saw Mr. Mickey Lima was in the Los Angeles trial.

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Q. Mr. Evans, how did the delegates leave the convention hall at the end of the day? A. At the end of the day the delegates were called according to sections that they came from and as the different sections would be called, they would leave. The drivers of the cars and the different sections would leave. We were told to leave in a carefree manner, don't go direct to your car, but kind of browse around before you leave, and not to take a direct route home.

Q. Was this convention completed in one day? A. No, the convention continued the following day.

Q. Where was the convention held on the second day? A. The convention the second day took place at 2002 San Pablo Avenue, El Sereno, California.

13630 Q. How were you directed to the convention hall the second day? A. On the second day we followed the same procedure as we followed the first day, by going to Mary Green's house with the exception that we also picked up Roscoe Proctor at another address, and he directed us to the convention. This time we were told not to take a direct route but to drive more or less casually around and then go to the convention place.

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Q. Did you drive your automobile the second day? A. I did.

Q. What took place at the convention on the second day? A. We had more of the same speeches on industrial concentration, on the peace campaign, on world conditions and war, on stricter security measures, and on mass concentration.

Q. How long did the convention last on the second day? A. The convention concluded around six o'clock that evening also.

Q. How did the delegates leave the convention hall on the second day. A. The general procedure that was fol-
13631 lowed the first day was followed the second day. The only difference being that on the second day there was a back exit for us to take and we took the back exit and walked around the block to reach our automobiles.

Q. Mr. Evans, did you attend any Communist Party schools during your membership in the Party? A. Yes.

Q. When was the first school and what was the first school you attended? A. The first classes I attended was in the Harriet Tubman Club. We had ten or twelve classes for beginning students.

Q. Do you recall what textbooks were used in these classes?

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The Witness: The primary textbook used in this particular course was a booklet entitled, "Theory and Practice of the Communist Party."

By Mr. Story:

Q. Now, Mr. Evans, did you attend any other schools while you were a member of the Communist Party? A. Yes.

Q. What school did you attend? A. I went to the
13632 Marxist-Leninist Institute, which lasted for a year,
from about April of 1949 to June of 1950.

Q. Was this a full time school? A. No. It met only once a week and at night, and it would last usually for about three hours.

Q. Where were these classes held? A. The classes were held in various sections of Oakland.

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Q. How many students were enrolled in this school?

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13633 The Witness: We had two sections of about 30 students in each section.

By Mr. Story:

Q. Did you enroll in this school under your own name? A. No. We were enrolled according to numbers. The number that I used was 72.

Q. What classes were taught in the Marxist Institute? A. We had four main classes, and the classes were political economy I and political economy II, Marxist-Leninism I, Marxist-Leninism II.

Q. Mr. Evans, were any steps taken by the school authorities to conceal the existence of this school?

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Mr. Story: The student attended the Marxist-Leninist Institute. He should know whether there were any steps taken to conceal the existence of the school from the general public.

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13634 The Witness: There were attempts to conceal the identity of the school. We were told not to discuss the school with anyone, not to discuss the place or the date of its meeting, not to discuss the contents that went on in the school, I mean the subject matter, and after each class, we were told to pick up all scraps of paper that might contain written matter and to destroy it.

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Q. Did you use any textbooks at the Marxist Institute? A. We had a large outline that we used as a study guide and in this large outline it made references to some of the Marxist classics and those—

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13635 Q. Mr. Evans, I hand you a document which has been marked for identification as Government Exhibit 427, and ask you if you can identify this document. A. Yes, this is one of the outlines we used in the school.

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13639 Q. Mr. Evans, do you know of your own knowledge any plans devised by the Communist Party for underground activity in the Communist Party?

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The Witness: I do know of plans that we made at—

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13640 Q. What plans were made concerning the underground activity of the Communist Party?

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The Witness: At a West Oakland section meeting in June of 1950, we were told that the groups should equip

themselves with a mimeograph machine and with
13641 paper, stencils and ink, so that in the event the Party is forced underground that these small groups that are segments of the main body could carry on their work independent of the county office, in the event the office is closed down.

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13642 Q. Do you recall the name of the person who gave you the instructions at this West Oakland section meeting? A. Yes, the name of the person was Ray Thompson.

Q. Did he hold any position in the Communist Party at the time he gave this information? A. He did.

Q. What was that position? A. He was an organizer. He was sent into the West Oakland section to bolster up the section.

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Q. Did you have any position in the Communist Party at the time you received these instructions? A. Yes, I was leader of a group. I was chairman of a group.

13643 Q. Was anything done within your group to carry out these instructions?

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The Witness: My group purchased a used mimeograph machine, paper, stencils and ink as required by the section to do.

By Mr. Story:

Q. What did you do with this material after you purchased it? A. I stored it in my apartment.

Q. Where is that equipment now? A. The equipment is still in my apartment.

Q. Mr. Evans, do you know of any other plans made by the Communist Party concerning underground activity?

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13644 THE WITNESS: In the late summer of 1951, I was contacted by Roscoe Proctor, the chairman of the West Oakland section, and told that the reorganization of the clubs which will take place the following fall that I was not supposed to accept any group or section position, that I was being considered for underground assignment, and that I would have to go through a careful screening process before I could get the job.

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Q. Were you screened by the Party in preparation for this assignment, Mr. Evans?

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THE WITNESS: I was.

By MR. STORY:

Q. When were you screened? A. It was in the late, late summer, near August.

Q. Of what year? A. Of 1951.

Q. Tell the Panel what happened, who contacted you and where you were contacted.

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13645 THE WITNESS: At this time I was contacted by a man named Morris Keller, who was a member of the Security Commission, which controlled the West Oakland section.

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THE WITNESS: This fellow got in contact with me and told me that he wanted to see me, and after I went to see him, he took me to a room and said that he had to give me a screening for a new job that was coming up for me. He handed me a questionnaire and proceeded to have me to answer the questions from the form that he had given me.

By MR. STORY:

Q. Were you interrogated at any time during this screening? A. Yes, after filling out the questions, you know, then he asked me some questions openly.

13646 Q. Do you recall what subjects were covered during this screening? A. Yes, I do.

Q. Tell the Panel what subjects were covered.

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THE WITNESS: In the questionnaire itself, questions were asked about your family background, how old you were, how much education you had, the jobs that you had held chronologically right along, different places you worked, asked your union affiliation, your religious affiliation, also asked the background of your parents, whether they were foreign or native born, or how old they were, where they worked, where they are living now, the address, the address and age of your sisters and brothers. I also was asked how long I had been in the Party, the number of books I had read, the schools I had attended. I was asked whether or not I still agreed with the Party's position, and whether or not I thought the future of the Party's position would be imperiled by events happening now. I was also asked whether or not I had associated with factionalists, and whether or not I had ever been arrested or had any type of criminal record, other than a traffic violation. I was asked whether I had ever been contacted by the FBI 13647 or other agent for misdemeanor or any government violations.

I also was questioned about my wife's family, her background and religion, et cetera.

By MR. STORY:

Q. Are you finished? A. Yes.

Q. How long did this screening process take? A. This process took from between two and three hours.

Q. After you were screened by the Party, did you hear anything more about your underground assignment? A. A few weeks after this screening process, I was again contacted by Roscoe Proctor who told me that I would be contacted by another man who would use the name of Terry

Rose, and that this fellow would give me further instructions according to my underground activities.

Q. Approximately when did Roscoe Proctor contact you? A. It was the early fall of 1951.

Q. Did Proctor tell you anything about the type of assignment you were to receive? A. Yes. He told me that the job would consist in the main of acting as a courier between the section and the county.

Q. Were you ever contacted by this man who was to identify himself as Terry Rose? A. No, I was never
13648 contacted by Terry Rose.

Q. Did you ever hear anything further concerning your underground assignment? A. Yes. About a week before I testified in Los Angeles, I was again contacted by Roscoe Proctor, and he told me that the job was still in the hopper, and that this fellow was still going to contact me.

Q. You have not heard anything further? A. I think the testimony in Los Angeles probably took care of that.

Q. Mr. Evans, were you given any instructions while you were in the Communist Party as to what you were to do in the event you were arrested in connection with Communist Party activities?

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Q. What were you told? A. I was told on several occasions by different officials that in the event that you were arrested while performing Party activities to stand on your constitutional rights and don't answer any questions, don't give your name, and to demand that you be allowed to talk to a lawyer, and to get in touch with one of the Civil Rights Congress lawyers.

13649 We were also given a small card explaining what to do in case you were arrested.

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Q. Mr. Evans, I hand you a document which has been marked for identification as Government Exhibit 428, and ask you if you can identify that document. A. This is the same as the card that was given to us.

Q. Where did you receive this card? A. It was given to me at the meeting of the Harriet Tubman Club.

Mr. Abt: May we have the date, Mr. Story?

The Witness: Shortly after my coming into the Party. I would say it was given in the spring of 1948 by Nora Lafferty.

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By Mr. Story:

13654 Q. Mr. Evans, were you taught anything concerning the allegiance owed by a member of the Communist Party to the Government of the United States during your membership in the Party?

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The Witness: We were taught about just and unjust wars in the Marxist Institute.

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Q. What were you taught about just and unjust wars in the Marxist Institute? A. We were taught that a just war is not a war of conquest, that it was waged to free people from oppression and enslavement, and that a just war is waged sometimes to free colonies from capitalist oppression. We were also taught that an unjust war is a war of oppression, designed to enslave people and that this
13655 war of oppression could only be waged by a capitalistic country, because in doing so they seek to enslave other countries in order to create a market for their products. We were taught that the Soviet Union could never wage an unjust war because by the very nature of itself, the Soviet Union is geared for production of its own people, and they don't seek outside markets for an outlet for their products. Therefore, on that basis, only a capitalistic country could wage an unjust war, and also that it was our duty as Communists to fight against anyone who would wage an unjust war, and to try to bring it to a successful conclusion.

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13656 Mr. Brown: Mr. Evans, were you taught anything at the Marxist Institute as to what action the Communist Party or the members thereof would take in the event of a war between the Soviet Union and the United States?

The Witness: We were taught that we are supposed to support any country who is engaged in a just war, and oppose any country who is waging an unjust war. We were taught that the Soviet Union could never engage or never start an unjust war, that they could only start a just war, and we were supposed to support anyone who started or anyone who was the recipient or started a just war, and oppose an unjust war. We were told that the United States could never start a just war, by the very nature that they are a capitalistic country, and could only start an unjust war. And we were supposed to oppose this unjust war and support the just war.

By Mr. Story:

Q. Were you told by any of your Communist Party superiors at any time what category the Korean war falls in?

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13657 The Witness: I mean it more or less destroyed the thought I intended to convey because of the question. The question was, was I told what category the Korean war fell in, is that correct?

Mr. Brown: Yes.

The Witness: We were told that the Korean war did represent a free nation being aggressed upon. In
13658 this case the North Koreans and the Chinese forces represented the forces of liberation, and that the United States, and her allies, and whoever she could draw into it, represented the aggressors, and therefore they were waging an unjust war, against the North Korean and Chinese people.

By Mr. Story:

Q. Who made that statement, Mr. Evans? A. Roscoe Proctor, at the section educational meeting.

Q. Approximately when was that made? A. Around the fall of 1950.

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13659 Cross Examination

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13745 The Witness: This is the explanation I would like to give to the question in reference to the yes or no answers concerning the Party's fight for the rights of Negroes. It can be characterized in the general term of the Party's fight for the rights of Negroes. The question asked me by the gentleman over there was, did they not actively participate in a struggle to save the life of Willy Magee. On the surface that would appear to be correct, that they did sponsor a program which would seem to carry on a projection that would induce a person to believe that the Party was extremely interested in saving the life of one man, Willy Magee, who happened to be a victim of oppression in the South. But a further study of Communist tactics and of Communist strategy will refute this to the point where, if you gave a "yes" answer to such a question you might give an incorrect one, because the Party's position in the fight for the Negroes is not focused upon one individual, to help relieve the situation of that one individual alone. The Party's program and its final destiny is socialism. It is their main strategy which any Party member will attest to and say so. So the fight to save Willy Magee was really a struggle to rally Negroes around the cause and to further publicize the party. 13746

I know one eminent person spoke and said the Party is not interested in Negro rights from the humanitarian standpoint. They are not interested in Negro rights as rights to save the Negro alone. The Party feels that in elevating the standard of Negroes, in giving this false projection to the Negro, making them feel that they want to reform a government such as there is to accept the Negro as a full citizen, is erroneous. The Party does not have that projection in view. They want to raise the level of the Negro and raise his understanding so he can be a useful means of helping them obtain the final victory, which is socialism.

So if you ask me the question whether the Communist Party actively fought to save the life of Willy Magee, I don't think I can say correctly that it was their main objective, that that was their main fight. I can say that they actively participated in the campaign because there are circles who believe that the Communist Party was most detrimental in the struggle, that it was the Communist Party which actually sealed the doom of Willy Magee, and the people who have struggled, like the NAACP for the Negro rights for years, will have no part side by side with the Communist Party because they felt they did more harm than good. For me to sit here and say that they actively participated in a program to save the man's life, to give a yes answer to it I feel it would be an injustice to the cause that they really represent. 13747

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By Mr. Forer:

13764 Q. Yes. You were also taught, were you not, that if despite all efforts to keep peace a war did break out between the United States and the Soviet Union that it would be the duty of Communists to cooperate with all democratic forces to bring such a war to a speedy conclusion on the basis of a democratic peace and thus defeat the predatory war aims of imperialism. Were you not taught that? A. I think that is correct. 13765

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13787 **Louis Francis Budenz** called as a witness on behalf of Petitioner, having been first duly sworn, was examined and testified as follows:

Direct Examination

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By Mr. Paisley:

13794 Q. Have you been a member of the Communist Party of the United States? A. Yes, sir, I have been.

Q. When did you become a member? A. I became a member in August 1935, but became an open member in October 1935.

Q. What is the difference between a member and an open member? A. Well, from August to October I was a concealed member, that is to say, I did not announce that I was a member of the Communist Party, nor did I act publicly as a Communist.

13795 Q. Prior to the time that you joined the party had you been acquainted with any party leaders? A. Yes, I knew several of them—Jack Stachel, Clarence Hathaway, and Carl Winter, Israel Amter, and a number of others.

Q. How did you happen to come in contact with them? A. In connection with various united front movements and in connection with the unemployed movements.

Q. What had been your work just before you joined the Party? A. I had been connected with the Conference for Progressive Labor Action, which was called the Musteites; that is, it was an organization which was out organizing unemployed and in that connection we worked with the Communists.

Q. Did you have occasion, Mr. Budenz, to discuss the possibilities of your becoming a member with any of these people before you joined?

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13796 The Witness: Yes, sir, I discussed membership in the Communist Party, and as a result of that I applied for membership in August 1935.

By Mr. Paisley:

Q. With whom did you discuss it? A. I discussed it with a number of people prior to joining, and then I went to Clarence Hathaway, who was head of the Daily Worker, and he accepted my application, signed it, and told me I had been accepted, but that I would have to wait as far as my open membership was concerned.

Q. Why? Did he tell you why you would have to wait? A. I would have to wait until Jack Stachel and Earl Browder returned from the Seventh World Congress of the Communist International in Moscow. Then they would decide or a decision would be made, at any rate, with them participating, as to whether I should be an open or concealed member from there on.

Q. When they came back did you discuss the matter with them? A. First I discussed it with Stachel, who came back first.

13797 Q. Do you recall the conversation, the substance of it? A. Yes, he told me that I should wait until Browder got back so far as my membership was concerned, and mentioned the fact that a large delegation of American Communist Party representatives had been present at the Seventh World Congress.

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13798 Q. What did Stachel say, if anything, about whether or not you would be a concealed member or an open member? I believe you said he said to wait until Browder came back. A. That is correct.

Q. Where was the conversation? A. That was on the Ninth Floor of the Communist-owned building there at 35 East 12th Street or 50 East 13th Street. The building runs between 12th and 13th streets.

Q. At that time had you actually gone to work with the Daily Worker? A. No, sir. I didn't go to work for the Daily Worker until October.

Q. Did you have a second conversation with Stachel about it? A. Yes, sir, one with Mr. Browder present.

Q. What were the circumstances and what was said? A. There the discussion was in regard to open or concealed membership, and it was decided that I should become an open member.

Q. Who decided that? A. Browder did, after consultation with other Communists.

Q. You then became a member, did you? A. Yes, sir. In October—that is, I think, October 2, 1935, it was announced in the Daily Worker that I had become a member of the Communist Party. There was a statement of that.

13799 Q. Did you make a public statement? A. Yes, sir, I made a public statement at Jack Stachel's suggestion.

Q. Was it printed in the Daily Worker? A. Yes, sir.

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Q. I have just shown you, Mr. Budenz, a photostat of what appears to be the Daily Worker, a photostat of which Daily Worker has been marked Petitioner's Exhibit 429 for identification. I call your attention to page 2 there. Do you recognize your picture? A. Yes, sir.

Q. Is that the statement that was published at the time? A. That was the statement which I prepared and submitted to Stachel and it was published as a result.

Q. Do you remember any conversation with Stachel about the statement? A. Yes, sir.

Q. Will you tell the Panel what he said? A. He stated that it was good enough, that it would be printed as I wrote it, but that I had not emphasized sufficiently Stalin's position of leadership in the International Communist movement, as the guide of the movement.

13800 Q. Did he call your attention at that time to any other document or article? A. Yes, sir. In that connection he called my attention to the resolution of loyalty to Stalin adopted at the Seventh World Congress by the representatives of the 65 parties there.

Q. In what form or shape was this resolution? Do you remember? A. He had a printed copy and had me read it. My impression is it was from the International Press Correspondence, but at least it was a printed copy.

Q. What is the International Press Correspondence? A. That was the reportorial system of the Communist International, sending out news to the Communists of the world on the happenings in the International Communist movement and in the Communist movement of various countries. It was translated into various languages. This was the English edition.

Q. Was that International Press Correspondence the official organ of the Communist International?

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The Witness: Yes, sir.

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13801 Q. Now I call your attention, Mr. Budenz, to your quoted statement. I quote from it a portion as follows: "For him who purposes to advance the workers' revolution, there is but one road to follow: the path of the Comintern. That definite conclusion leads me to announce 13802 my affiliation with the Communist Party of the United States."

What was this path of the Comintern which you felt at that time should be followed?

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The Witness: The path of revolution, the violent shattering of the non-Communist governments as the aim of the Communist International, expressed in its program and in the statements of its leaders, Lenin and Stalin.

By Mr. Paisley:

Q. The shattering of other governments with what purpose in mind? What was the path? What was the ultimate goal?

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The Witness: To set up the dictatorship of the proletariat, to lead to the dictatorship of the proletariat or the world Soviet dictatorship.

By Mr. Paisley:

Q. Now I show you a photostat of the International Press Correspondence, a copy of which has been marked Petitioner's Exhibit 430 for identification.

(Document produced and marked for identification Petitioner's Exhibit No. 430.)

By Mr. Paisley:

Q. I ask you, Mr. Budenz, if that is the document 13803 which Stachel referred to, called to your attention. A. That is the resolution he referred to.

Q. Is it the one that appears on page 861? A. Yes. I thought you were calling my attention to that. "To Comrade Stalin, Leader, Teacher and Friend of the Proletariat and Oppressed of the Whole World."

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13804 13805 Q. At the time he called this resolution to your attention did he say anything more to you about this American delegation that you now recall, which had attended the convention?

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The Witness: He stated in connection with this resolution the American delegation approved of it along with the other Communist parties.

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13808 Q. I call your attention to what has been marked Petitioner's Exhibit No. 431. I ask you to tell the Panel whether or not you recognize this International Press Correspondence, Volume 15, No. 33, as International Press Correspondence, the official organ of the Communist International. A. Yes, I do. I am very familiar with it. It was given free to every member of the Daily Worker staff and every Communist functionary.

Q. Can you find Volume 15, No. 33 in this? A. That is the same one.

Q. I call your attention to page 861 of Volume 15, No. 33, in the original. Do you see there the resolution of Comrade Stalin about which you testified? A. Yes, sir; that is the resolution.

Q. You recognize that as the International Press Correspondence? A. Yes, sir, that is the International Press Correspondence which we were required to study.

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13809 Q. In your conversation with Mr. Stachel about that Seventh World Congress did he mention any other American Party members being over there and participating in it?

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Q. Other than Foster and Browder and himself?

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13810 THE WITNESS: Yes. He mentioned a number. I can recall Martha Stone, Sam Darcy, and Ben Carruthers. There were others mentioned.

By MR. PAISLEY:

Q. Did you later have any conversation with any of these individuals about their having been over there? A. Oh, yes. I didn't with Darcy, because he didn't come back to the United States for a long time. He remained in Moscow. But I did with Martha Stone and with Carruthers.

Q. How about Gil Green? A. Yes, I did will Gil Green.

Q. Do you remember the occasion? A. He arrived in the early part of 1936. I met him on the ninth floor of the Communist Party, that is, the headquarters, at the time he was giving a report to the National Committee on his work among the youth and upon his investigation of the Communist youth movements of Europe and specifically the Soviet Union. He stated to me that he had remained a few months after the Seventh World Congress to make that investigation.

Q. Was he a delegate to the convention? A. Yes, sir. He told me he made a speech there, as a matter of fact.

Q. Do you know whether Stone and Darcy were delegates?

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13811 **The Witness**: Stachel said they were delegates. Stone and Carruthers told me they were.

By Mr. Paisley:

Q. When you became a member of the Party, Mr. Budenz, were you given any party literature? A. Yes, sir, prior to my joining the party I was given some literature by Jack Stachel.

Q. Do you recall what it was? A. There was J. Peters. Peters Manual of Organization and M. J. Olgin's "Why Communism?" the program of the Communist International as adopted at the Sixth Congress and reaffirmed at the Seventh, and Stalin's Foundations of Leninism.

Q. Did he give you any reason for giving you this material? A. Yes. He stated that these books are documents which would be of value in making my work measure up more to Communist integrity and understanding.

Q. Did you make any use of them? A. Yes, sir; I made constant use, that is, off and on.

Q. In what way? A. In different ways, in making reports to the Daily Worker Staff, in making talks to Com-
13812 munist groups, in teaching at the Worker School, and also in editorial work on the Daily Worker.

Q. Over what period of time did you make use of them? A. I might say practically all the time I was in the Communist Party.

Q. By the way, when did you leave the Communist Party? A. October 1945. I was in the Party ten years officially and openly.

Q. You were in the Party, then, before the creation of the Communist Political Association? A. What is that?

Q. You were in the Party, then, before the creation of the Communist Political Association? A. Oh, yes. That took place in 1944.

Q. And the reactivation of the Communist Party. You were in there during that period? A. Yes, sir.

Q. After you joined the Party just what assignments were given you? A. I was named first a member of the staff of the Daily Worker, and after a very short period I was made Labor Editor of the Daily Worker.

Q. For how long a period? A. Oh, I should say until January 1936, maybe earlier.

13813 Q. You had had editorial and newspaper experience before that, had you? A. Yes, sir.

Q. For how long a period of time? A. For many years I was editor of the Labor Age, prior to that, for approximately 12 or 13 years.

Q. At that time when you first became Labor Editor, where was the paper published? A. You mean the Daily Worker?

Q. Yes. A. The Daily Worker was published at 35 East 12th Street, that is, or 50 East 13th Street. It had that double address. On the eighth floor so far as the editorial offices were concerned.

Q. Where were the Communist Party USA headquarters? A. On the ninth floor of the same building.

Q. Who gave you your appointment as Labor Editor? A. Earl Browder.

Q. What was his position in the Communist Party? A. General Secretary of the Communist International.

Q. Of the Communist International? A. I mean of the Communist Party.

Q. How long did you continue in the position of Labor Editor? A. Until November 1937, when I went to Chicago to become editor of the Midwest Daily Record.

13814 Q. What was the Midwest Daily Record? A. The Midwest Daily Record was a Communist-controlled, organized and financed newspaper which the Communists stated publicly was the Communist gift to the people's front.

Q. Who appointed you to that position? A. The announcement was made by Jack Stachel, although he stated the Politburo had appointed me.

Q. Did he give you any directions as to what you should do? A. Yes, he did. I was to conduct this paper as a people's front paper, but with the Communist line to dominate it and to guide it. It was to be under the direction of representatives of the Politburo.

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Q. What was Stachel's position, Mr. Budenz, in the Party, when he sent you out there to Chicago? A. Jack Stachel was the most important member of the Political Bureau or Political Committee. It had various names. The Communists changed the name of it. It was the Executive Committee of the National Committee. He had various commissions. He was in charge of trade union work, he was in charge of the Party for a time. He had various commissions, and he was the most important member of
13815 the Political Bureau.

Q. Did he indicate to you whether or not your assignment to that work in Chicago had been considered by the committee? A. By the Political Bureau?

Q. Yes. A. Oh, specifically. As a matter of fact—That answers the question.

Q. Had the paper been established when you went out there? A. No, sir, it was not established, as a matter of fact, as a paper until the following February, but I went out to get the staff together, to make the preliminary arrangements, to go to various cities and conduct a fund campaign, and things of that sort.

Q. Did you finally get it started as a newspaper? A. In February 1938.

Q. Was it a daily or a weekly? A. It was a daily, with the exception of Sunday, until some time in 1939 when it became a weekly.

Q. What were the circumstances that brought that about? A. The paper had made an appeal to a wider group of readers than just Communists on the grounds it was a people's front publication, and when the Hitler-Stalin Pact occurred, it lost thousands of readers and finally became a weekly and then terminated.

13816 Q. Did you run into any financial difficulties at that time? A. It had financial difficulties all the time, I must say, but they became accentuated in 1939 and it terminated about January 1940.

Q. To what extent was your work supervised on that paper by the Party?

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Q. To what extent, if any, was your work supervised?

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THE WITNESS: It was carefully supervised, not only in the sense that I was obliged to make frequent trips to New York to consult the Politburo members, but also that Morris Childs, who was the leader of the Communist Party in Illinois, was made a candidate to the Politburo in order to supervise the paper more directly on the scene.

By MR. PAISLEY:

Q. What was his official designation in Illinois? A. That designation has changed from time to time. He was the district leader in Illinois. The title is state secretary or state chairman or district organizer. These titles have been changed from time to time, as was the custom of 13817 the Communist Party.

Q. How long did you remain as editor of the Midwest Daily Record? A. Until its discontinuance.

Q. In what year? A. 1940, the early part of 1940. I returned to New York approximately in February 1940.

Q. Do you know why and what the circumstances were surrounding the ceasing of publication in January 1940?

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THE WITNESS: Yes, sir. As I stated, it was due to the fact that the circulation had fallen off to such a degree that it was found impracticable to continue it.

By MR. PAISLEY:

Q. Did you ever have occasion to come to New York with Morris Childs in connection with the financing of the paper?

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The Witness: Yes, sir, on several occasions, and specifically in the year 1939, when we were trying to obtain more funds from the Communist Party.

By Mr. Paisley:

Q. What occurred on that occasion? A. We had
13818 a conference with Robert William Weiner who was then in charge of the Communist Party funds.

Q. Was he an official of the Party? A. He has been treasurer of the Party and president of the International Workers Order, but he always has been in charge of the funds. He later became head of the publishing house, the New Century Publishers. But even during that period he was in charge of all the Party funds and supervision of all the Party financial affairs.

Q. Did you and Morris Childs have a discussion with him with reference to the financing of the Midwest Record? A. Yes, sir, this was one of the many discussions.

Q. Do you recall what was said? A. Yes, sir. When Weiner said that it was impossible for the Party to put any more money into the Midwest Daily Record, Childs asked him if we couldn't get some money from abroad.

Q. What did he say? A. He said that we could normally, but the channels of communication abroad had been broken for the time being, and perhaps could be re-established so money could come.

Q. Was the word "abroad" used or was there any discussion as to what "abroad" meant?

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13819 The Witness: That was the terminology which was used very frequently in the Communist Party.

By Mr. Paisley:

Q. Was it clarified to you by Weiner what he meant?

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The Witness: It was not definitely stated what he meant, but that term had been used constantly in the Communist Party as a specific source or center.

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Q. What did it mean to you, Mr. Budenz?

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The Witness: It meant financial aid from Moscow, both because of this terminology and because of experience.

By Mr. Paisley:

Q. After you discontinued your work on the Midwest Daily Record what did you do? A. I returned to New York,
where I was advised that I was to become head of
13820 the corporation publishing the Daily Worker and
managing editor of the paper.

Q. Do you recall who told you that? A. Yes, first Elizabeth Gurley Flynn and then Earl Browder, who called me up to the ninth floor to advise me officially that the Politburo had so appointed me as the President of the Corporation that was to be formed.

Q. Browder was then general secretary of the Party? A. Yes, sir. He was the leader of the Party.

Q. Did you discuss it with any other leaders of the Party? A. Yes, I discussed it with a number of leaders of the Party.

Q. Was Foster then one of the leaders? A. Yes, sir, Foster was about that time named as liaison officer of the Politburo with the Daily Worker.

Q. How about Dennis? A. He succeeded Foster as the liaison officer of the Politburo supervising the work of the Daily Worker.

Q. How long did you remain as managing editor of the Daily Worker? A. First I think I should explain, if I might, when the corporation came into existence.

Q. All right. A. Because there were some months there
where the legal procedure had to be straightened
13821 out. The corporation came into existence openly,
that is, it was publicly acknowledged, around June
1940.

Q. Prior to the creation of the corporation who was running the Daily Worker openly? A. They had a prior corporation, and I was working in the Daily Worker, but the corporation was announced publicly in June while I was in St. Louis at the convention.

Q. What was the name of that corporation? A. Freedom of the Press Company, Inc.

Q. You became president? A. That is right, at that time.

Q. Were you also managing editor of the paper? A. I became managing editor about a year or a year and a half later, although that was also involved in the Politburo's decision.

Q. What duties did you have before you became managing editor? A. I was acting practically in that capacity. We had an associate editor there, Sam Don, and we worked together. Then I became definitely managing editor, although that I say was the arrangement made some time prior.

Q. During that period 1940 to 1945, when you left the Party, did you hold any positions in the Party? A. Yes, a number of positions. I was on the state Trade Union
13822 Commission of New York in 1936 to '37. I was on the State Committee of the Illinois Communist Party, that is, the Illinois district during my time in Chicago. I was also a member of the State Committee in New York. I was a member of the National Trade Union Commission for a time, and other commissions.

Q. In the period of time were you ever on the National Committee of the Party? A. Oh, yes. I was a member of the National Committee of the Party, being co-opted in 1936.

Q. How long did you serve on the National Committee of the Party? A. I was on the National Committee of the Communist Party so far as attendance was concerned all through my period from 1936 on, but during part of the time that I was head of the Daily Worker I was advised by Browder that it would be better for me to not be a member of the National Committee, although I attended all the meetings, that is, when I could do so. I was officially requested to attend just as though I were a national committee member.

Q. Did you attend most of the meetings? A. Yes, I did.

Q. Did Browder give you any reason why you should not be officially a member of the committee? A. Yes, sir. He stated that it might be advisable from the legal
13823 viewpoint to set up the plea that the Daily Worker and the Communist Party were separate entities, and that is why the Freedom of the Press Company, Inc., had been established, with three gentlewomen as alleged owners, and if I were not on the National Committee I could plead that I was closely connected with the Communist Party functioning apparatus.

Q. Was there any difference between the National Committee and the Political Committee and the Politburo? A. Yes, indeed. The Politburo is actually the governing body of the Communist Party of the United States. It is technically the Executive Committee of the National Committee, with power to act in between the sessions of the National Committee, but actually it makes statements in the name of the National Committee and directs the National Committee in its work. It is the directing body of the Communist Party.

Q. During this period 1940 to '45 did you attend the meetings of the Political Committee or the Politburo? A. Yes, sir; from time to time as I was requested or as the necessities of the Daily Worker required, and also I came in to Chicago occasionally and attended these politburo meetings when it was thought necessary that I should do so in order to be informed.

Q. To what extent were your duties on the Daily Worker supervised by the Party leaders, if at all? A. They were very definitely supervised. First of all, there was a liaison overseer or directing representative of the Political Bureau who met as a rule every day with the editorial board of the Daily Worker, and then in addition to that we had a direct internal telephone up to the Political Bureau's headquarters and consulted them frequently all during the day. I did, and those associated with me did.

Q. In connection with the publication of the paper? A. In connection with publication of the paper, carrying out of the Communist Party line, and the particular slant to be taken on individuals or on movements or on committees or on any other thing of that sort where such advice was necessary.

Q. Was it customary to slant news items?

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The Witness: The news items had to be in conformance with the Communist Party line during every period, definitely.

Miss McHale: Mr. Paisley, at this point do you mind if I ask a question.

Was this an accepted policy by the three women who supposedly financed the paper?

The Witness: Yes. They did not appear around the paper
at all, except once a year, and had nothing to do with
13825 the paper whatsoever, actually. They were just used
for the defense of the paper during the period of
the Hitler-Stalin Pact and for some time thereafter.

Miss McHale: Was the paper in this period when you were the manager considered the official medium of Communication? I mean by "official," official for the Communist Party.

The Witness: Yes, it is and was then the telegraph agency for instruction or directions to the Commies. In the agreement which these ladies drew up—it was a complicated legal process—they became the owners and then they delegated by power of attorney all their power to three of us, that is, to myself as president, to Ben Davis who was variously treasurer, secretary or vice president, and to Howard Boldt, who also alternated in one of the other positions.

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The Witness: What I was coming to there, so I can explain that and give the background, what I was coming to was that in the agreement which was made between them and as ostensibly, it stated that we must follow the line or the policy that the Daily Worker had followed before, in other words, the Communist Party dictation. 13826

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By Mr. Paisley:

Q. There came a time, did there not, Mr. Budenz, when the Communist Party, USA, changed its name to Communist Political Association? A. Yes, sir, that occurred in 1944.

Q. Did you become a member of the Communist Political Association? A. Yes, sir. All members of the Communist Party were turned over to the Communist Political Association, automatically.

Q. Was there any substantial difference in the leadership of the Party during that interim when the Communist Political Association was in existence?

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The Witness: No, sir, there was no substantial change. The same personalities appeared. There may have been slightly different functions, but that occurred even during the Communist Party period. Earl Browder became the President instead of the General Secretary, but he was still the leader. 13827

By Mr. Paisley:

Q. Do you remember the circumstances of the formation of the Communist Political Association? A. Yes, sir.

Q. Just tell the Panel in your own way exactly what happened in so far as you were able to observe it. A. The definite mention of the Communist Political Association officially to be made was made at a national committee meeting around January 1944.

Q. That would be a national committee meeting of the CPUSA? A. Of the Communist Party, yes, sir. There was first a preliminary meeting of the National Committee to acquaint us with what was going to happen. Browder told us that it was necessary to dissolve the Communist Party and form an association in order to assure American acquiescence in a Red China and a Red Poland. Then we had the official session in which Browder brought forward formally the proposal that the Communist Party cease to exist as a party and become a political association.

Q. Was there a convention of the Communist Party, USA, which followed this discussion you just mentioned? A. The National Committee, if I remember correctly, voted unanimously at that time in favor of Browder's proposal and called for a convention in May to form the Communist Political Association. 13828

Q. Was it formed at that convention? A. Yes, sir; it was formed at that convention.

Q. Do you remember when these national committee meetings took place, approximately? A. Do you mean with regard to Communist Political Association?

Q. Yes. A. I know so far as I remember it was early in 1944. I think it was in January. The exact date I don't recall at the moment.

Q. But it was May before the convention and that change took place? A. In May. I think the convention opened in the latter part of May, if I remember correctly. It was in May, at any rate.

(Document produced and marked for identification Petitioner's Exhibit No. 433.)

By Mr. Paisley:

Q. I show you what has been marked Petitioner's Exhibit 433, Mr. Budenz, an issue of The Communist for February 1944. Do you recognize that as the Communist? A. Yes, sir, I do.

Q. Are you familiar with that decision in the 13829 National Committee published there on page 107 and 108? A. Yes, sir. It was known as the Teheran Resolution in the Communist Party because it was based on Browder's conclusion that the agreement at Teheran had made this move possible to dissolve the Communist Party.

Q. Are you familiar with this exhibit? Have you read it? A. Yes, I have read it before, not recently, but I have read it before on a number of occasions.

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Q. Mr. Budenz, did you attend this second meeting held in February 1944?

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13830 Mr. Paisley: I thought he said there were two meetings.

The Witness: No, I haven't spoken about the February meeting as yet, Mr. Paisley. I referred to a meeting just held the day before the January meeting, and then the May meeting. There was a February meeting, but I didn't refer to it specifically.

Mr. Paisley:

Q. There was a meeting in January? A. That was the National Committee meeting official session which passed unanimously this resolution.

Q. That is the one which is published there in the last exhibit? A. In the February 1944 issue of The Communist.

Q. Was there a meeting of the National Committee in February 1944? A. There was an informal meeting of the National Committee members and others called together hurriedly in response to a letter written by William Z. Foster to the members of the National Committee or to the National Committee, rather, as a body. It wasn't written to the members, but to the National Committee as a body.

Q. Did you attend that meeting? A. No. I couldn't because of my duties. I was either out of town or I couldn't be there. I was told to be there, but I couldn't be.

13831 Q. Did you talk to any of the members who did attend that meeting? A. Yes, sir; several of them, notably Benjamin J. Davis.

Q. Do you remember your conversation with Davis about it? A. Quite well, yes, sir.

Q. Will you tell the Panel about it?

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Q. First, what was Ben Davis' position in the Party when he was talking to you? A. He was a member of the Politburo.

Q. All right, now tell us what he said. A. He came to the Daily Worker office where he was secretary-treasurer. I was working. He told me about the meeting that had taken place, at which Foster had got a good shellacking. They had upheld Browder's position on the Communist Political Association, with only Sam Darcy and Foster being opposed. Foster had changed the unanimous vote here, but it had been of no avail. He also stated to me that the Foster letter was ordered suppressed, that is, not to be given to the National Committee members nor to the membership at large. 13832

Q. Did you see a copy of the Foster letter? A. Yes, sir; I did; I think a few days later.

Q. To whom was it addressed? A. It was given to me by Eugene Dennis. I had asked Mr. Dennis if I shouldn't be permitted at least to know the substance of the discussion because it would guide me on the Daily Worker, and he agreed that that was the case, but he said he could not permit the letter to remain in my possession. He permitted me to read it and took it away.

Q. Had you talked to Ben Davis about the letter before you talked to Dennis? A. Yes, sir.

Q. Had Davis told you in substance what the letter contained? A. Rather generally. I got the general idea.

Q. What was the general idea as he related it to you?

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THE WITNESS: The general idea was that the proposal for the Communist Political Association and the ending of the Communist Party was not in line with the revolutionary position of Marxism-Leninism and therefore should be rejected, that Foster after consideration had come to that conclusion.

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13833 Q. As I understand it, you went to Dennis and asked him why you couldn't see it, at least? A. He came down always. He was the representative of the Politburo who came down to the Daily Worker and in the course of our normal discussions I asked him if it would not be a good idea for me to see the letter since it would aid me in my work.

Q. What did he say? A. He said that I should see the letter and he showed it to me, but he said he couldn't leave it in my possession.

Q. Did you read it? A. Yes, sir. He also said—May I add to that?

Q. Yes, go ahead. A. He also said it had been suppressed and should not be given to Party members; knowledge of it should not be given to Party members.

Q. Thereafter at a meeting of the Communist Party the Communist Political Association was formed?

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13834 THE WITNESS: The convention of the Communist Party which met in May 1944, turned itself over into a convention of the Communist Political Association, Earl Browder making the motion, and it being unanimously adopted.

By MR. PAISLEY:

Q. You attended the convention, did you? A. Yes, sir.

Q. Did you participate in the deliberations of the convention? A. Yes, sir; I spoke there. I was a delegate.

Q. As a delegate? A. Yes, sir.

Q. To what extent were the officers and functionaries of the Communist Political Association the same as the officers and functionaries of the CPUSA?

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THE WITNESS: It was practically the same. There were shifts. I have said that Earl Browder was made
13835 president instead of general secretary. Foster, who

had been national chairman, was made vice president. But by and large the same personnel appeared.

By Mr. Paisley:

Q. Then it remained as the Communist Political Association until some time in 1945, did it not? A. That is correct.

Q. How was your work on the Daily Worker affected by this change?

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The Witness: It wasn't affected at all. The procedure remained the same, the directives remained the same. The control by the Politburo remained the same.

By Mr. Paisley:

Q. Did the physical location of the plant remain the same?

A. Yes, sir; on the eighth floor.

Q. The physical location of the headquarters of the CP remained the same? A. Yes, sir, the Communist Political Association merely took over the same offices.

Q. Did you remain as president of the Freedom of the Press Company during that period? A. Yes, sir.

13836 Q. You were managing editor of the Daily Worker? A. Yes, sir.

Q. Do you recall the conference in San Francisco when the United Nations was being organized? A. Yes, I do.

Q. Approximately when was that? A. That was in the early part of 1945. I think it began some time in February. I wouldn't be absolutely certain. It ran over into March.

Q. Did the Daily Worker have any representatives or correspondents covering that conference? A. Yes, sir.

Q. Who were they? A. Frederick Vanderbilt Field and Joseph Starobin.

Q. Were they members of the Communist Party, USA? A. Yes. Mr. Field was a member of the Communist Party and also had written a column for the Daily Worker for some time and was active in Far Eastern Affairs for the Communist Party. Joseph Starobin at that time was foreign editor of the Daily Worker.

Q. Did you from time to time receive communications from either of them? A. Yes, sir. We steadily received communications, both letters and also we received of course their news reports and comments.

13837 Q. Do you recall any particular communications from Starobin? A. Yes, I do recall a special delivery communication addressed to the editorial board, care of my attention.

Q. Did you receive it yourself? A. Yes, sir, I received it and opened it.

Q. Did you read it? A. In part, yes.

Q. What were the circumstances? A. I opened this letter from San Francisco, which was a statement that D. Z. Manuilsky—

Mr. Abt: Just a moment, Mr. Chairman. I object to the witness testifying to the contents of the communication. The question was the circumstances under which it was received.

By Mr. Paisley:

Q. Yes. Give us the physical surroundings. You said you opened the letter. A. I received the letter at the Daily Worker and was reading it when Jack Stachel came in.

Mr. Abt: May we have the date, Mr. Chairman?

The Witness: It was some time in May 1945. I think it was between the first week in May and May 22. I place that because of certain events. I was reading the letter and had got partly through when Stachel came in and I said
13838 to him, "Look at this important communication we received from Starobin." He glanced at it and said, "Oh, I must take this to the ninth floor immediately." And he took it from me and went upstairs with it, and I never saw it after that, the rest of it.

By Mr. Paisley:

Q. Did you try to see it after that? A. No, I didn't make any effort. That is not the way Communists act.

Q. What do you mean by that, Mr. Budenz? A. Things that are referred to the ninth floor, unless the ninth floor refers them back to you you leave it to their discretion.

Q. How much of this letter did you see? A. I saw the beginning of it.

Q. How was it addressed? A. It was addressed to the Editorial Board, my attention as the Managing Editor.

Q. How much of the contents do you now recall?

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13839 THE WITNESS: In this letter Mr. Starobin stated that D. Z. Manuilsky upon his arrival in San Francisco had expressed indignation at the fact that the American Party had not criticized the American leaders,
13840 that is, in the government, more severely, and that The American Party should observe more carefully the guidance and the counsel of the French Communists.

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13844 Q. Had the Duclos article been published in the United States at the time that article appeared in the New York Times on May 6? A. No, it had not.

Q. Was any one else present when Stachel took this letter away from you? A. No. It was prior to the editorial board meeting, and we were alone.

MR. PAISLEY: Give me Exhibit 208, please, Mr. Turner.

By MR. PAISLEY:

Q. Do you recall whether or not you read the Duclos article in Political Affairs? A. Yes, sir, I read it in Political Affairs and also in the Daily Worker.

Q. I show you, Mr. Budenz, what is already in evidence as Petitioner's Exhibit No. 208, purporting to be the Duclos article in Political Affairs. Do you recognize it? A. Yes, sir.

Q. Was it also published in the Daily Worker? A. It was published in July 1945 Political Affairs. It was published in the Daily Worker the latter part of May of that year. I attended to its publication. That is, it was given to me to publish.

13845 Q. Did you have anything to do with putting it in the Daily Worker? A. Yes, sir. It was handed to me by either Dennis or Stachel and I was asked to proof read it to make sure that it was correct, that is, that it was accurate, it was such an important document. Browder also advised me the same, although the document was handed me by either Stachel or Dennis.

Q. Did they tell you to publish it in the Daily Worker? A. Oh, yes, and to be very careful of its publication because of its importance.

Q. Do you see in that exhibit 208 any quotations from the Foster letter which had been suppressed? A. Yes.

Q. You have previously read this article, I take it, rather carefully, have you, Mr. Budenz? A. Yes, some time ago.

Q. At the time? A. I did on a number of occasions.

Q. At the time it came out I take it you read it rather carefully? A. That is right.

Q. How did the Foster letter as quoted in that Duclos article compare with the letter which you had seen and which had been taken from you?

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13846 The Witness: It was the same letter, that is, of course, I don't know word for word that it is the same letter.

By Mr. Paisley:

Q. Do you know how Duclos got it?

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The Witness: No, I have no idea.

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Q. You were not allowed to keep a copy of it? A. No member of the National Committee was allowed to keep a copy, and as a matter of fact the first time it was handed around to the National Committee members was after the Duclos article appeared, that is to say, at the National Committee meeting in June 1945 when Browder was deposed.

Then mimeographed copies were handed out. Even then the members of the Communist Party as such did not know about it until it was published in Political Affairs.

Q. Did you attend this National Committee meeting of the Communist Political Association in June 1945? A. Yes, sir, I was there all three days. That was the middle of June.

Q. What do you mean when you say that the rank and file of the Party didn't know anything about it? A. They were not supposed to know that this letter existed until
13847 it was finally published in Political Affairs.

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Q. Was there any discussion in this National Committee meeting about the extent to which the letter should be publicized to the Party membership? A. The National Committee meeting to which we refer is June 1945?

Q. That is right. A. There Foster declared in the course of his remarks at that three-day session that his letter had been suppressed and that he agreed to the suppression because otherwise he would have been expelled from the Party and that now the letter should be made available to the whole membership. Several other participants in that discussion spoke up and said make the letter public to the whole membership, as they had seen it only to hold it in their hands in mimeographed form there at that session.

Q. Did Foster give any other reason other than
13848 his likely expulsion from the Party? A. Yes, sir.

Q. What did he say? A. He said he had been advised that Browder's position was upheld from abroad and that consequently he bowed before that decision.

Q. How did you as a Communist interpret the words "from abroad"?

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THE WITNESS: From the Communist International apparatus, namely, from Moscow.

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13850 Q. Mr. Budenz, when we recessed for lunch we were talking about the reconstitution of the Party. I believe you stated that the vote in the National Committee was finally unanimous. A. Yes, sir, in support of the Political Committee's resolution which would have restored the Communist Party.

Q. Did you ever have any discussion with any of the Communist Party leaders as to why Hudson changed his vote? A. Yes, both Stachel and Dennis and some others, as a matter of fact, discussed it.

Q. Can you recall what they said?

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The Witness: Yes. They said that they had represented
to Hudson that in order to carry out the Communist or revo-
lutionary purpose he should conform to the resolu-
13851 tion which condemned revisionism and return to the
Marxist-Leninism path of the Party, that is, to the
revolutionary path, and that it was his obligation as a
Communist to join with the others in that attitude.

By Mr. Paisley:

Q. Was there a so-called discussion period following these committee meetings? A. Yes, sir, a discussion period was ordered and was carried out in the Daily Worker and also discussions in different branches and discussions in different sections of the Party and in the different staffs of the Party publications.

Q. Tell us about the discussion period so far as the Daily Worker staff was concerned. A. The Daily Worker held a discussion which lasted three weeks in the Summer of 1945. We had three days a week, three hours a day for about three weeks.

Q. What would take place? A. There was an initial report, as the Communist custom, made in this case by Jack Stachel, and then there was a discussion by the staff members in regard to the evils of revisionism and opportunism which had been condemned in the Duclos article, with statements as to how they could carry out better the tasks assigned to them as a result of the necessity of getting rid of revisionism.

Q. Did anybody talk to the staff members other 13852 than Stachel? A. Oh, yes. As a matter of fact, most every one participated. The chief discussion was a debate between Stachel and James Allen.

Q. Who was James Allen? A. Well, he had been foreign editor of the Daily Worker but at that time was foreign editor of the Sunday edition of the paper and a sort of adviser on foreign affairs to the Daily Worker. He was therefore a member of the staff in that respect.

Q. Did they take the same view of the situation? A. Allen held that there should be a logical following out of the condemnation of Browderism, that the United States was a hopelessly capitalist country, and that the Duclos statement against revisionism and for rejection of class peace should be interpreted in this case that socialism could be obtained with the help of the Red Army.

Q. That was Allen's position? A. That was Allen's position, yes, sir.

Q. Do you mean he took that position at an open meeting? A. Yes.

Q. In the discussion period? A. Yes, where the staff was present and also certain members of the Politburo or leading Communists such as occasionally Trachtenberg, John Williamson. Dennis even looked in, and V. J. Jer- 13853 ome once or twice.

Q. Do I understand— A. These men were not present at every session. They came occasionally.

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Q. Did anyone take issue with Allen in the need for the Red Army to intervene, and so on? A. Stachel opposed that on the grounds that it was not in line with the Duclos article specifically and that it would expose the Party. However, he eventually at the conclusion of the discussion stated that Allen's position was permissible.

Q. Who stated that? A. Stachel.

Q. Thereafter did you discuss the matter with Stachel as to his change of position? A. Yes, sir, I discussed it with him.

Q. What did he say? A. I asked him why it was that he had made this change in his attitude, at least to the degree that he had.

Q. What did he say?

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13854 The Witness: He said that there was danger of complacency toward Browderism and that there were dangers in some of his arguments and attitudes that might tend to support Browderism, and that in addition it had been decided by Hans Berger, the Communist International representative, that this was permissible.

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Q. When was that, approximately? A. This discussion took place in June or July, the first part of July 1945, I should judge. It was before the National Convention.

Q. At that time had the Communist Party USA withdrawn from the Communist International? A. Oh, yes, it withdrew several years before.

Q. A couple of years before, at least, wasn't it? A. Yes, sir.

Q. And as a matter of fact, the Communist International had been dissolved, had it not, or did that come later? A. I am not sure just when it was dissolved, at the moment.

Q. Was Berger still in this country? A. Oh, yes.

13855 Q. Stachel indicated to you that he had discussed this matter with Berger?

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The Witness: Yes, sir. He discussed the matters with Berger frequently.

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Q. Did you know Berger? A. Yes, sir.

Q. At that time? A. I had not met him under the name of Hans Berger, but I knew who he was.

Q. Who was he? A. He was Gerhart Eisler.

Q. You had met him? A. I had met him under the name of Edwards when he was in the National headquarters of the Communist Party. He was there when I first joined the party.

Q. How did you know he was a CI representative?

Mr. Abt: I object.

Mr. Brown: Overruled.

The Witness: As Edwards I knew he was CI 13856 representative because first he told me and then I had been so advised by others of the Politburo. So far as Berger is concerned, I was advised that he was the equivalent of the CI representative by Eugene Dennis. That was in approximately 1942.

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By Mr. Paisley:

Q. Was this discussion period preliminary to the convention of the Communist Political Association in the summer of 1945? A. Yes, sir, preliminary to the convention which took place in July 1945.

Q. Was there a meeting of the National Committee of the Communist Political Association prior to the convention? A. That is the one I spoke of, the one in June, which lasted for three days. That was the only one that was held. That was when Browder was desposed and the decision was made to hold the convention.

Q. Did the Communist Political Association also have a national Board? A. It had a national board. The National Board was the name at that time for what is popularly known as the Politburo, which was its original name, or Political Committee, the National Board of the Communist Political Association, and later on then it became 13857 the National Board of the Communist Party. Its name has been changed several times, but its functions remained the same.

Q. I take it that the Board was composed of fewer members than the committee? A. Yes, both of them changed in number according to circumstances, but normally the National Committee was approximately 60 members, whereas the board, the maximum was 14.

Q. Were you on either one? A. I was on the National Committee, as I have stated. I was not on the board, although I regularly attended sessions due to my being on the Daily Worker in an executive position.

Q. You remember this committee meeting, do you, in June 1945? A. Very well. Considering the time that has passed, I remember it very well.

Q. Where was it held? A. It was held on the third floor of the Communist Party building at 50 East 13th Street. A new hall had been made there out of what was formerly the Workers School. We held it there in that hall.

13858 Q. Will you tell the Panel the name of some of the leaders of the Party who you recall were present and who participated in the meeting?

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The Witness: William Z. Foster made the report, Eugene Dennis, John Williamson, Louis Weinstock, Doxey Wilkerson, Julius Emspak, Alexander Trachtenberg, Alexander Bittleman, Sam Donchen, also known as Sam Don, and a number of others. There were 80 present altogether, 60 members of the National Committee and 20 leading Communists.

Q. Suppose you, Mr. Budenz, in your own way, tell the Panel what happened on that occasion, what took place. A. There was a three-day discussion. The first report was made by William Z. Foster, who based his statements on the Duclos article and stated—

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The Witness: Foster referred to the Duclos article, which he supported, and stated that it showed that Browder had been guilty scandalously of revisionism and deviation

13859 which could not be permitted in a revolutionary party, that it was the sense of it that the Party return to the path of Marxist-Leninist revolutionary ideology and action; that it had been prevented from doing that by Browder; that in addition to that it would have to steel itself and prepare itself to become a true Communist Party organization with no remnants of revisionism or opportunism in it. He declared even that Browder had been guilty of revisionism in the withdrawal of the Communist International, but at that point Stachel interrupted him to say that was an action of the Communist International itself, let the Communist International alone. Then Foster concluded by a declaration that there had not been democratic centralism in the Party, that there had only been centralism, referring to his having his letter suppressed, and they declared that the career of the Party under Browder or at least Browder's career in the Party was an example of deviation which certainly had to be wiped out.

By Mr. Paisley:

Q. At that particular moment, Mr. Budenz, what was Browder's position in the organization? A. Browder was still technically general secretary.

Q. Of the Communist Political Association? A. Yes, sir.

Q. Was he present? A. He was present, yes. He was present, but not on the platform. He sat down in
13860 front.

Q. Do you remember who followed Foster? A. Yes, I remember the main reports. That is, Eugene Dennis followed Foster.

Q. Are you able now to recall the substance of the position taken by Dennis? A. Yes, I am, because it stood out. Dennis referred to the fact that Foster had said that he had been one of those who had shown a tendency toward opposing revisionism. He declared that this had not been the case, that he also had been guilty of revisionism and that he wished to express his determination to oppose it from then on. He particularly recommended in order that the Party should be thoroughly steeled for its work, that there be a thorough return throughout the Party to the Marxist-Leninist classics, particularly to the writings of Stalin, the History of the Communist Party of the Soviet Union, Foundation of Leninism, and Dimitrov's Report to the Seventh Congress, which dealt with the true nature of how to conduct the United Front while forwarding the Communist revolutionary aims.

Q. Do you recall who followed Dennis? A. I can't recall them in succession. I know those that stood out. For example, Robert Minor's report was one very early.

Q. What position did Minor take? A. Minor
13861 took the position that he had been close to Browder
but that he had actually opposed Browder. One of the reasons he was maintaining such cordial relations with Browder was in order to oppose him and to defeat his revisionist tendencies. This caused quite a few groans among the assembly. He went so far as to say that Browder had consulted six Senators in Washington in regard to whether the Communist Political Association even should not be ended and just the Daily Worker left as the representation of the Party or the representative of the Party.

Q. Minor said that he had discussed the matter with six Senators or that Browder had? A. That Browder had. But Stachel cut him off there and said leave the six Senators alone. He said not to discuss that matter.

Q. Did Browder take the floor at any time during the meeting? A. Yes, Browder took the floor.

Q. What did he say? A. Browder apologized for not having a formal statement. He formerly had formal reports. His position was that there was no other policy that could be pursued on the basis of the Teheran agreement, that is, between Stalin, Roosevelt, and Churchill, that there would be generations of peace, that this meant that there would
also be class peace, and any other position would
13862 have looked forward to the possibility of conflict

between the United States and the Soviet Russia at the end of the war. He stated that the Duclos-Foster position actually was a war position, and he declared that he would be willing nevertheless to accept the resolution if there was an amendment put in in regard to eliminating any suggestion that the Party would fight for curbing of American foreign trade.

Q. Do you remember whether or not Foster indicated one way or the other whether or not his course of action had been approved from Moscow?

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The Witness: He did not do so specifically. He merely called attention to the fact that Browder in introducing the Duclos article in the Daily Worker had stated that it represented the opinion of the leading Marxists in Europe.

By Mr. Paisley:

Q. I probably misled you there. I believe I used the word Foster. I meant Browder. When Browder was talking did he indicate to the persons assembled there whether or not his course in forming the CPA had had the approval of Moscow.

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13863 Mr. Paisley: I am asking if he indicated one way or the other. Maybe he did, maybe he didn't. I don't know. I haven't talked to the witness about it.

The Witness: He stated that it followed the Teheran policy laid down by Stalin, the Teheran policy of generations of peace, and that there was only one conclusion that could be drawn from that. He based his argument on Stalin's acts and Stalin's words.

By Mr. Paisley:

Q. Do you remember whether Jack Stachel took a position in the meeting? A. Yes, Stachel did. Stachel supported the resolution, that is to say, he attacked the revisionism of

Browder, pointing out that the Duclos article had been written before the death of President Roosevelt, that therefore it was also a criticism of the Communist Party for its tail-ism in regard to Mr. Roosevelt. That is, that it followed in the wake of Roosevelt policies and did not assume a critical attitude, that this was evidenced by the fact that the article had appeared in April in Paris, had been prepared before that, and therefore before the death of Mr. Roosevelt. He warned the Party against further tail-ism, that is, hanging on to the coattails of any political leader, except the Communist political leaders.

Q. Do you remember John Williamson being
13864 present? A. Yes, John Williamson was secretary of
the conference.

Q. Do you remember any position he took? A. He spoke at great length to the effect that this policy had to be supported as laid down by Duclos and also recommended the reading of Marxist-Leninist works, State and Revolution, and other classics which he claimed had been neglected during the period from 1944 to 1945, and that there must be a return to the raising of the ideological level of the Party so that it would avoid hereafter revisionist errors such as Browder had led them into.

Q. Was Elizabeth Gurley Flynn present? A. She certainly was.

Q. Do you recall anything that she said? A. She made an extensive talk in which she particularly criticized Robert Minor for his having been more Browderite than Browder. She said he was an example of revisionism, that his statements were not up to what a Communist should have made. She declared further that during all the time that she had been on the Politburo she had not been permitted an independent thought or act, that every time she made proposals she was bowled over with the statement that she didn't understand Marxist-Leninist theory. She hoped that from now on there would be the possibility of expression within the Politburo which would not be met with that sort of

sweeping argument. She condemned Browder very
13885 severely for having misled her and others into an incorrect path.

Q. You say Foster made the main report. Do I understand by that that he led the discussion, led over the convention or whatever you call it? A. That is correct. That is the Communist method of procedure. There is no parliamentary debate in Communist meetings. There is a report by a reporter, and then there is discussion, and then the reporter concludes in a summary, and what he says, the leader, becomes what is agreed to. Foster, because he said he was partly ill and unprepared, allowed Dennis to make part of the main report. That is, the two were together. That is the reason I remember them distinctly.

Q. How long did this discussion last? A. It lasted three days.

Q. Do you recall whether or not Foster took the rostrum, or however you might express it, on the third day? A. Yes, he did. He proposed on the third day that the conference send wires to the strikes that were occurring and to other trouble spots where strikes were contemplated, urging them to strike and to hold out for strikes. He said that was in line with the new attitude that the Communists should take.

Q. Just what was the situation historically at that time, Mr. Budenz, with reference to the war? This was
13866 in the summer of 1945. A. June 1945.

Q. Do you recall whether or not Germany had been defeated at that time? A. Certainly we were still at war with Japan.

Q. What was this that Foster was proposing about a strike?

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The Witness: The extension of strikes by the encouragement of them through the Communist Party.

By Mr. Paisley:

Q. What happened as a result of his proposal? A. Two Communists who are connected with the United Electrical Radio and Machine Workers Union, Julius Emspak and Ruth Young, immediately had a hurried conference with Foster which I overheard, in which they urged him to withdraw this statement, that it would injure the Communist infiltration, of the unions and was not at all a timely procedure on that account. He agreed to do that, and in the afternoon session, some time later, he got up and withdrew his suggestion.

Q. So were these telegrams dispatched? A. They were not, because of the objection of Emspak and Ruth Young. 13867

Q. What conclusions, if any, were reached by this National Committee? A. They condemned revisionism, drew up a program which was based on the Duclos letter and demoted Browder as general secretary.

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13870 Q. I notice that Foster in the letter uses such terms as "opportunistic error" and "revisionism." Will you explain to the Panel just what those terms mean?

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13871 The Witness: "Opportunistic error" is a well-known term in the Communist documents and in Communist discussions. Opportunism is the blurring over or killing off of the revolutionary Marxist-Leninist objectives of the Communist movement, by any tendency or deviation which makes the Communists forget that their goal is the violent shattering of the bourgeoise state as set down by Lenin and Stalin.

By Mr. Paisley:

Q. What about "revisionism"? A. "Revisionism" is generally applied as a term to opportunism from the right. It is Kautskyism that is based on the fact that Karl Kautsky differed from Lenin in regard to the Bolshevik revolution

and likewise it is a blurring of the revolutionary class war objectives of the Communists so that they can not fulfill their function as Communists and lose sight of the goal of shattering violently the bourgeoise states. From this revisionism there flow a number of other errors which apply to immediate work, that is to say, for example, confusing reforms which the Communists adopt for tactical reasons with objectives. Therefore, this is considered a very serious deviation. The term arose from the attempted revision of Marx by Edward Bernstein, an alleged socialist, but it now has come to mean any deviation from the Communist objective as set down by Lenin and Stalin of the violent shattering of the bourgeoise state, anything which takes
away the fact that this Communist Party is not a
13872 party of a new type and not a party which rejects
civil peace.

Q. Was Trotskyism regarded as opportunism? A. Trotskyism in general is opportunism from the left. Trotskyism is accused also of blurring the objectives of the Communists, but with left phrases and left objectives. The revisionism is rather applied as a rule to what I call opportunism from the right. It is Kautskyism as distinct from Trotskyism to that extent.

Q. After this national committee meeting about which we have been talking there followed a national convention of the Communist Political Association, did there not? A. Yes, sir, in New York City.

Q. Do you recall when it was held? A. It was held about the middle of July at the fraternal club house.

Q. Did you attend? A. I attended only a few sessions. I was very busy on the Daily Worker.

Q. Was the general public and representatives of the press admitted? A. No, they are never admitted to a Communist Party convention proper.

Q. What happened at the convention of the Communist Political Association?

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13873 Q. As editor of the Daily Worker and from any sessions which you did attend, did you learn what took place? A. Yes, sir, most decidedly.

Q. What did take place?

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THE WITNESS: The Communist Political Association was changed back to the Communist Party. That is the same convention which met as the Communist Political Association convention became the Communist Party convention.

By MR. PAISLEY:

Q. To what extent was the leadership changed?

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THE WITNESS: In substance the leadership was not changed. Browder was not in the picture, but 13874 Foster was national chairman, and eventually Dennis became secretary, though there was a secretariat set up at that time of which he was a member.

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13877 Q. Mr. Budenz, the Party when it was reconstituted in 1945 adopted a constitution, did it not? A. That is correct.

Q. It was not amended until after you left the 13878 Party, was it? A. It wasn't amended while—

Q. It wasn't amended while you were in the Party. A. No.

MR. PAISLEY: May I have the 1945 constitution?

MR. DENUNZIO: That is Exhibit 329.

By MR. PAISLEY:

Q. Are you familiar with that constitution? A. Yes. I received it as soon as it was printed.

Q. I direct your attention, Mr. Budenz, to the preamble to this constitution, the first sentence of which reads as follows: "The Communist Party of the United States is the Political Party of the American Working class, basing itself upon the principles of scientific socialism, Marxism-Leninism."

As a member of the Communist Party what meaning did that sentence have for you?

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13879 The Witness: Marxism-Leninism is a well-known and historical term in the Communist documents and discussions. It is that interpretation of so-called scientific socialism based on the writings of Marx, Engels, Lenin and Stalin, and which holds as the goal of the Communist Parties of the world the necessity for the violent shattering of the bourgeoise states in order to set up in their place a completely new state machinery, the dictatorship of the proletariat. This shall be achieved under Marxism-Leninism through the Party of the new type, the Bolshevik Party under Bolshevik discipline, which rejects the concept of class peace.

By Mr. Paisley:

Q. Did the Communists in the United States at that time regard the American Government as a bourgeoise state? A. It did, yes, according to the Communist concept it is a bourgeoise state. It is a matter—Well, I can't add to that unless you ask a question.

Q. Now I call your attention to this sentence in the same preamble: "The Communist Party upholds the achievements of American democracy and defends the United States constitution and its bill of rights against its 13880 reactionary enemies who would destroy democracy and popular liberties."

Can the two sentences be reconciled?

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The Witness: The statements can not be reconciled. The dedication of Marxism-Leninism is the dedication historically and categorically to the violent shattering of the bourgeoise state as the necessary step toward progress, and this other language in the light of that, since Marxism-

Leninism principles prevail, is merely a window-dressing for legal protective purpose. It is part of the Aesopian language recommended by Lenin.

By Mr. Paisley:

Q. Did the words "reactionary enemies" have any particular meaning in Communist circles?

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The Witness: They do.

By Mr. Paisley:

13881 Q. What interpretation do they have? A. Reactionary enemies are those who are seeking to curb the Communist conspiracy. The term "Fascist" is used likewise as an alternative. It runs through all Communist literature. The reactionary enemies are those who are seeking to curb the Communist conspiracy.

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13884 Q. Mr. Budenz, I call your attention to the sixth paragraph of the Preamble to the Constitution of the Communist Party adopted in 1945, reading as follows: "The Communist Party, therefore, educates the working class, in the course of its day-to-day struggles, for its historic mission, the establishment of socialism."

As a member of the Party and as a result of your 13885 experience in the Party, what was meant by that language?

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The Witness: The historic mission of the working class was laid down by Lenin and Stalin specifically, and understood throughout the Communist movement. It is the establishment of the dictatorship of the proletariat through the smashing of the bourgeois states and the setting up of a so-called dictatorship of the proletariat, Soviet dictatorship.

By Mr. Paisley:

Q. In this same constitution, Article IX, Section 2, which reads:

"Adherence to or participation in the activities of any clique, group, circle, faction or party which conspires or acts to subvert, undermine, weaken or overthrow any or all institutions of American democracy, whereby the majority of the American people can maintain their right to determine their destinies in any degree, shall be punished by immediate expulsion."

13886 Were you familiar with that provision of the constitution? A. Yes, sir.

Q. What meaning, if any, did that language in the constitution have for you?

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Q. Particularly in the light of the first sentence of the preamble, about which we have already had testimony. A. That was what I was about to say, Mr. Paisley. In light of the dedication to the principles of Marxism-Leninism and the reiteration of this in the mention of the historic mission of the working class, which are well defined, historically worked out terms in the Communist movement, especially by Lenin and Stalin, this is merely protective language in order to protect the Communist Party and at the same time enable it to go forward in advancing the principles of Marxism-Leninism. It is Aesopian language recommended by Lenin.

Q. Is this word "Aesopian" a word which you, yourself, have coined, or is that a word which had meaning in Communist Party circles when you were a member? A. It is a word that had a meaning in the Communist Party circles, having appeared in the preface to the Russian edition of Lenin's "Imperialism."

13887 Q. I want to go back for a moment to the time when you were in Chicago, Mr. Budenz. Do you recall a visit out there by Eugene Dennis in the fall or winter of 1939-1940? A. Yes, sir. That was during the Hitler-Stalin Pact period, when the party was going underground.

Q. What do you recall about the particular visit of Dennis out there? A. There was a meeting called of the chief functionaries of the Communist Party in Illinois, or at least in Chicago, very hurriedly called together and held in the basement of a building in Chicago, at which Dennis appeared. He had been underground or partly underground, and he came there. There were present at this meeting a number of the leading functionaries, including Morris Childs, the district organizer, William L. Patterson, who was then associate editor of the Midwest Daily Record, that is, associate with me, and was also on the State Committee, Ed Brown, who was the organization secretary of the district, Jack Martin, and a number of other functionaries.

Q. Did Dennis address the meeting or discuss any Party matters with you? A. The meeting was very brief. At that meeting, Dennis declared that he had come for the purpose of giving us directives as to the urgency of the complete underground existence of the Party, that is, we had already had instructions about dividing into groups of five and
having no public records. He reiterated this again,
13888 and at the same time he declared that we should be
prepared in case the United States joined with
Great Britain against Hitler, to turn the imperialist war into civil war as Lenin had advised. He stated that his purpose was to prepare us for eventualities of that character, and also that we should prepare the Party and its organization work for eventualities of that character.

Q. Did he give you any specific instructions as to how you should proceed? A. He emphasized the urgency of what was already contemplated, and that was of real diligence and expedition in the breaking down of the Party units or branches into groups of five, and going underground and destroying Marxist literature. In other words, going on a completely war basis.

Q. Did you always use your own name while you were in the Party? A. Yes, sir.

Q. Was there any practice in the Party with reference to assumed names?

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The Witness: There were Party names. I presume that is what you mean. There were Party names.

By Mr. Paisley:

Q. To what extent was that prevalent? A. It was
13889 common in the case of concealed Communists, that
is, people who were functioning as non-Communists publicly but who were actually Communists. With open Communists the practice was less. For example, a man like William Z. Foster, so far as I know, never had a Party name. But I know a great number of other people who did have Party names.

Q. Did Dennis make another visit out there? A. Not to Chicago.

Q. Or to any other city? A. Yes. I met him in Milwaukee in the fall, late summer or fall of 1940. I had gone then from the Daily Worker out to Milwaukee, and Dennis said that he would see me there.

Q. Did you see him there? A. Yes, sir. We met at the home of Mrs. Meta Berger.

Q. At that time, had Hitler invaded Poland yet? A. Oh, yes. He had quite a time before. This was in the fall of 1940.

Q. Had he attacked Russia? A. No, he had not.

Q. The Hitler-Stalin Pact was then still in effect? A. That is right.

Q. Tell us what happened at this home of this woman, who was present and what was said? A. This was a very
small meeting, attended by about six or seven
13890 people—Ned Sparks, who was the district organizer
for Wisconsin, who brought me out to the place; Fred Bassett Blair, who was the leading functionary in the Communist Party in Wisconsin; and Sigmund Eisenschur,

who had been Midwest Daily Record representative in Milwaukee but was a Communist functionary; also Harold Christoffel, who was a concealed Communist and the president at that time of the local union at the Allis-Chalmers plant. There were two or three others, but I don't recall them.

Q. Did Dennis have anything to say at this meeting? A. Yes, sir.

Q. Will you tell the Panel in substance what he said? A. He stated that the meeting had to be very brief because he was underground and had to go away rather quickly. There were three things that he placed on the agenda. One of them was the bolshevization of the Party; another, the Allis-Chalmers situation; and the third, the Socialist Party in Wisconsin which the Communists were penetrating.

On the first point, very briefly summarizing it, he had in his hand a typewritten copy of an article that he had written for The Communist, and which was published, I believe, in May 1940, at least during that year, on the bolshevization of the Party. He wanted to stress the bolshevization of the Party, the necessity of being more vigorous in the underground organization of the Party, in steeling the
13891 comrades to the possibility that the imperialist war
would be turned into civil war.

In this connection, his main emphasis was the urgency of a wider reading of the works of Stalin in particular, and of certain works of Dimitrov, but the works of Stalin, particularly the History of the Communist Party of the Soviet Union, and Foundations of Leninism, in order that the comrades would not be lost in this underground work but would understand their goals, so the Party would be steeled for any shock. That was his first mission. He reviewed the scene much more widely than that. In fact, he referred to the "Roosevelt war." He declared that Earl Browder had stated officially at the last convention that Roosevelt was another Hitler, and that we should realize that in opposing the Roosevelt policies we were fighting the

Fascistization of the United States, and should put, therefore, every energy into it. That was the general introduction.

On the second point, on the Allis-Chalmers situation, he declared that it was essential that war production in Great Britain be halted in order to forward this campaign against the Roosevelt program, and in that connection the Politburo had decided that there should be a stoppage at the Allis-Chalmers plant. He did solicit Christoffel's views on this matter, and there was a discussion in which Christoffel participated briefly.

13892 Q. Who was Christoffel? A. He was the president of the local union at that time of the United Automobile Workers in the Allis-Chalmers plant. He is not so any longer.

Q. Was he a Party member, to your knowledge? A. Yes, sir. I met him as such on several occasions.

Q. Did you testify in his trial here in the District? A. Yes, sir, in two of them.

Q. What was Allis-Chalmers making at the time, do you know? A. I do not know the specific material, but it was considered to be a key part of the aid to Britain, and the general defense build-up of the United States.

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13894 Q. Was there a strike on at the time? A. No, sir, there was no strike at the time.

Q. Do you know whether a strike took place after this meeting? A. I wasn't there. I know that Christoffel there agreed that a strike should be called, and that
13895 grievances could be filed which could bring about such a strike.

Q. Was this before Germany invaded Soviet Russia? A. Oh, Yes.

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Q. How long before, approximately?

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THE WITNESS: This was in the fall of 1940. It was almost a year, I should say nine months before the invasion.

By MR. PAISLEY:

Q. Do you know whether or not a strike took place?

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THE WITNESS: As Editor of the Daily Worker, I know, but I wasn't on the scene. I know a strike took 13896 place in the early part of 1941.

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Q. Did Dennis give Christoffel any instructions in your presence?

THE WITNESS: Yes, sir. He specifically stated that the Politburo required a stoppage at the Allis-Chalmers plant. He said they had chosen that place as being one where such a stoppage should take place because of the Communist leadership there in that local at that time.

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13898 Q. Mr. Budenz, did the Daily Worker customarily have staff meetings while you were Managing Editor? A. Yes, they had staff meetings.

Q. To what extent? A. They weren't what you would call regularly arranged for any particular time. They were called whenever it was essential to bring up some outstanding political topic. Therefore, we would have them once or twice a month, and then two months might go by.

Q. Who would attend the staff meetings? A. Normally, the members of the Daily Worker staff. I say 13899 "normally," because on one occasion of this special discussion there were more of the leading functionaries there than was usual. Then generally some leading Party functionary, member of the Political Bureau as a rule, would make a report on this topic. It might be national affairs with Eugene Dennis, or it might be a report on the work of the State of New York by Gil Green, various topics, in order to keep the Daily Worker members on their toes.

Then, of course, this was always intertwined with political discussion, because it was for political purposes that it was held. I mean "political" in the Communist sense, political education.

Q. You referred to the various so-called classics, including the History of the Communist Party of the Soviet Union. Were those books used by you in your work, and by the other members of the staff, up to the time you left the Party?

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The Witness: Yes, sir, they were used, and they were also very freely quoted in the staff education meetings, if you want to call them that, staff meetings which were held.

By Mr. Paisley:

13900 Q. Throughout your time in the Party, was there ever an instance, to your knowledge, when there was any criticism of the Soviet Union published in the Daily Worker?

Mr. Abt: I object. We have had this question over and over again, Mr. Chairman.

Mr. Brown: Overruled.

Mr. Paisley: We have not.

Mr. Abt: May I finish, Mr. Paisley?

The Panel has previously ruled it is an improper question.

Mr. Brown: Overruled.

The Witness: Not only was there never any criticism of the Soviet Union, but there was always praise of the Soviet Union and its leadership. That was a "must" rule.

By Mr. Paisley:

Q. Would the answer be the same with reference to Political Affairs, as far as you were able to observe? A. Yes, sir, the same rule applied to Political Affairs.

Q. Where the policies of the United States differed from those of the Soviet Union, which side would the Daily Worker take, if any?

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13901 The Witness: Always with the Soviet Union; and there are very many examples of that, particularly during the Hitler-Stalin Pact period, which could be drawn upon if time permitted.

By Mr. Paisley:

Q. Do you know of any exceptions to that proposition?

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The Witness: None whatsoever. It was not permissible to have an exception to that rule.

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13905 Q. After the disaffiliation, so called, of the CPUSA from the Communist International, did you ever see this man Gerhart Eisler in the United States? A. Yes, I saw him.

Q. Where? A. Once at Jacob Golos' funeral in the latter part of 1943, and once across the street from a meeting of the National Committee.

Q. When was that? A. My remembrance is that it was in 1942.

Q. Are they the only two times that you actually saw him? A. Yes. He stayed away from national headquarters .

Q. Did you talk to him on either occasion? A. I did not, no.

Q. Did he talk to you? A. He did not, no.

Q. Did you ever discuss his activities in this country after the disaffiliation of the CPUSA from the Communist International with any of the leaders of the Communist Party USA? Answer yes or no. A. Yes.

Q. With which members? A. Several. Earl Browder, Jack Stachel, Eugene Dennis.

13906 Q. Do you now recall anything that any of those leaders of the Party had to say about the activities of this man in this country?

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The Witness: I have mentioned the fact that Eugene Dennis in the latter part of 1942 stated that Hans Berger was the equivalent to the representative of the Communist International, that he was fulfilling those functions, that his real name was Gerhart Eisler and that I was to receive any communication from him as being that of the C. I. Rep. Dennis at that time was liaison officer with the Daily Worker but was going down to Washington for several days, maybe two weeks. He told me I was not to confuse Eisler's integrity as a Communist leader with the fact that he had a sister who was a Trotskyite. That is the case of Dennis. Although he mentioned this again on several occasions, that is a specific case I can recall.

In regard to Stachel, his references to Eisler were constant during 1943 and '44, rather to Berger, Eisler as Berger. He mentioned meeting him in order to get directives and in order to discuss problems. He brought him money from the Daily Worker. He had me arrange with Bill Browder to get money for him. He also arranged
13907 for certain articles to be printed in the Daily Worker under the name of Hans Berger.

By Mr. Paisley:

Q. Who was Bill Browder? A. Bill Browder was business manager of the Daily Worker.

Q. A brother of Earl Browder, was he? A. That is correct.

Q. Did you have any discussion with Foster concerning this man Berger? A. I don't recall any specific discussion with Foster along this line.

Q. Do you recall whether or not Berger actually contributed any articles to the Daily Worker? A. Oh, yes, very many. They appeared week after week in the Daily Worker, and also some in The Communist. As a matter of fact, it was Stachel who emphasized Berger more than anybody, because Stachel was the representative of the Political Bureau who dealt with the Daily Worker over several years.

Q. Did you know this man Golos, whose funeral you attended? A. Yes, sir, I knew him rather well.

Q. When did you meet him? A. I first met him away back
in the twenties when I attended a Russian-American
13908 corporation which was being organized at that time,
but I didn't see him from that period on until I
joined the Communist Party.

Q. What was his first name? A. Jacob Golos. He was supposedly the head of the World Tourist Agency, and did function from there in the Flatiron Building in New York. I have been to his office and conferred with him there. He has been to my office and conferred with me. He has been in touch with me a great number of times, particularly from, we will say, 1936 on until his death.

Q. What kind of business was this World Tourists, if you know? A. It was a tourist agency in regard to making arrangements for tourists into Soviet Russia and also sometimes into other countries. But it also was connected, as I know, with the Soviet espionage agency.

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Q. Was he a party member? A. He was chairman of the
control Commission of the Communist Party for a number
of years. That was the most powerful commission in the
Party, having to do with the discipline of the mem-
13909 bership. Each Communist is compelled to file his
biography with that, and that is the commission that
watches after the Communist integrity of the membership.

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THE WITNESS: The fact is that when he died, because he was an alien Browder asked me to write that he had never been a member of the Communist Party, although a friend of the Party, whereas he had been chairman of the Control Commission for at least a number of years.

By MR. PAISLEY:

Q. Did you write such an article? A. That is my remembrance. I know we discussed it and I am sure it appeared.

Q. Do you think it was published? A. Yes, that is my remembrance.

Q. How often would you see Golos during the period of time that you were on the Daily Worker? A. It was irregular. He first saw me in order to introduce me to members of the MVD or Soviet secret police operating in this country. Then from time to time he was the source of getting in touch with me by them. Then when I was out at Chicago he used to call me up on the long distance phone in regard to the same matter. A relationship of that kind, though not in the same
degree, continued down to 1943.

13910 Q. What would be the occasion for his introducing you to the various members of the Soviet Police?

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Q. Did I understand you to say that he did introduce you? A. Yes, sir.

Q. What would be the occasion for that? A. Not to various members. He introduced me to one member first, and then afterwards he was the go-between for other members. The occasion?

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Q. To what individual did he introduce you? A. He introduced me to a man who went by the name of Richards.

Q. Did he introduce you to any others? A. Yes. That is, I became acquainted in the same way from Richards to a man named Roberts whom I met several times in the
presence of Golos and who I now know was Dr.
13911 Gregory Rabinowitz, the head of the Russian Red
Cross, supposedly, but he went by the name of Roberts with me.

Q. Did you meet Elizabeth Bentley? A. Yes, sir. I was introduced to Miss Bentley, by Mr. Golos, who stated that she was a trusted comrade who was engaged in very important underground work and that anything that I wished to tell her in that respect I could tell her. He could not see me as much as he had wished to before because he had recently pleaded guilty, yes, pleaded guilty to having violated the foreign agents' act, and he didn't want to be seen too much in contact with me or other known communists.

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Q. Give him the time and place, if you can. A. The meeting with Richards occurred in 1936, early 1936, as a result of my being called upstairs to the ninth floor by Jack Stachel and re-introduced to Golos and then Golos took me down the street to a restaurant and introduced me to Richards. The meeting with Roberts took place approximately a year later.

Q. Can you give him the place? He wants the place. A. At Childs Restaurant on upper Broadway. That was with Richards introducing me to Roberts, however.
13912 Subsequently, I met from time to time on until 1939 off and on with Golos and Roberts, who I say I now know to be Dr. Gregory Rabinowitz. We met on one occasion in 1938 in the Office of the World Tourists on a Saturday afternoon in this Flatiron Building.

Q. Now give him the time and place on your meeting with Elizabeth Bentley. A. That was early in 1943, as I recall, about that time.

Q. And the place? A. The place was in front of the Daily Worker Building. Mr. Golos had seen me several times in my office about a matter which he wanted me to take care of in underground work, and then one day he came to me and asked me if I would come downstairs and he introduced me to Miss Bentley not far from the 13th Street entrance to the Daily Worker Building.

Q. Did you know Alexander Trachtenberg? A. Oh, yes, for many years.

Q. What position, if any, did he hold in the Communist Party, USA? A. He was the head of the cultural commission, which has charge of the direction of the Communist cultural activities, the schools, the entertainment field, publications, and also has charge of the infiltration of cultural activities outside of the Communist Party.

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13913 Q. Was he active in the Party during the time you were in the Party? A. Yes, sir, he was very active and a very important communist.

Q. Did he ever have anything to do with these publishing houses about which we have heard so much? A. He was in charge of the general publishing field. Specifically, though, he was head of International Publishers, in New York City. He also helped to direct what was called the Workers Library Publishers and then was changed to the New Century Publishers. But his specific first job, I should say, was that of head of the International Publishers, which gets out all the Marxist-Leninist classics.

Q. Did you have occasion to discuss mutual matters, matters of mutual interest? A. Many times, yes, sir. We discussed many times the question of publications. He was very much interested in our newspapers, the Daily Record and the Daily Worker, and in pamphlet publications also. In 1938 he announced to me when I came into Chicago that he had obtained the authorized Marx-Lenin edition in English of the History of the Communist Party of the
13914 Soviet Union which was to be published in English.
It had already been published in Russian. The English edition was going to be available.

Q. Did you ever have any discussion with him as to whether or not his activities or the activities of these publishing houses were supervised in any way or controlled in any way?

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The Witness: Mr. Trachtenberg stated many times, not only to me but in the Politburo sessions, that he had obtained authorized translations from Moscow. He was not permitted to issue any Marxist literature, especially the classics, without the authorization of the Marx Institute in Moscow and was in touch with them repeatedly in that regard.

By Mr. Paisley:

Q. During your activity in the Party did you come to know this man J. Peters, who wrote the Peters Manual? A. Yes, sir; I knew him rather well, too. I saw him very often.

Q. What position, if any, did he have in the Party? A. He was introduced to me by Jack Stachel, as organization secretary of the Party, although Stachel said at the same 13915 time he was much more important than that. To my own knowledge in dealing with him and from his own statements to me, he was liaison man between the Communist International apparatus here and the Soviet Police operating in America.

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Q. How often did you come in contact with him? A. In my first year in the Party, or two, I was frequently in contact with him, maybe as much as two or three times a week, if not more. Then later on when I went to Chicago that tapered off, except when I saw him in New York, and then when I returned he was for the time being largely underground and I didn't see him much, but I saw him later after, we will say, 1943 or so.

Q. Was that his real name? A. No, it was not. I don't recall his real name now. He had many different names.

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13933 Q. Mr. Budenz, what news services did you find that the Daily Worker was a subscriber to when you first became associated with the Daily Worker? A. They had a purely commercial relationship with the United Press, and then they also received news from the Runag News Agency.

Q. What was the Runag News Agency? A. The Runag News Agency was the agency which under various names, that is, I mean to say, various language names, furnished information out of Moscow to the Communist Party and their organs.

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Q. Upon what service did the Daily Worker depend for news items from Moscow?

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13934 **The Witness**: It depended for the main political items, these items were sent over in great volume by cable and wireless to the Daily Worker directly from Moscow through the Runag News Agency, and they contained articles translated from Soviet papers and pronouncements of Stalin and other Soviet leaders which were used in Daily Worker and also were sent up to the ninth floor.

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Q. What were the sources of your information concerning this arrangement for the receipt of news by the Daily Worker from Moscow? A. In the course of my work on the editorial board it was there discussed and also the Politburo.

Q. Did it come up for discussion frequently or otherwise? A. Not frequently, but it came up occasionally. It was a well-established service. They had had it there for some time.

Q. When the matter first came to your knowledge, when you first went to work there for the Daily Worker, 13935 just exactly what was the arrangement whereby the Daily Worker received this information from Moscow?

Mr. Abt: I object. No foundation.

Mr. Brown: Overruled.

The Witness: It received it free of charge from Moscow and, as I say, it came in to the Daily Worker direct.

By **Mr. Paisley**:

Q. Did you have occasion to talk to Earl Browder about it from time to time? A. Yes, not frequently but I have talked to Browder about it.

Q. What were the physical arrangements for the receipt of this information? A. There was in the Daily Worker a telegraph room, and in that telegraph room there were placed special machines for this service from Moscow.

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13936 Q. Do you know whether these were direct wires to Moscow? A. They came from Moscow, yes.

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Q. Was the material received in the English language? A. Yes, sir. The prepositions were left out and had to be filled in, but otherwise the entire material was there in the English language.

Q. Give the Panel, Mr. Budenz, some idea of the extent of this information which came to you through the Russian news agencies? A. It was irregular in its contents, that is to say, sometimes it was not so large as others, but it was whole articles from the Soviet publications, statements by Soviet leaders, the approved statements by Stalin, for example, in English translation. Then on other occa-
13937 sions when there was the Trotskyite Bukharin trials, for example, a great deal of the questions and answers, in fact, the whole trial, substantially, was sent over by cable or wires.

Q. Were these operators on the same floor that the Daily Worker occupied? A. Yes. That is, when I say the Daily Worker I mean the editorial department of the Daily Worker. There was the linotype department on the seventh floor and the presses below in the basement, but I am speaking of the editorial offices.

Q. That was on the eighth floor? A. Yes, sir.

Q. And the headquarters of the Party were on the ninth floor? A. That is correct.

Q. What use customarily was made of this information which came to you? A. A great deal of it was published in the Daily Worker, and all of it was sent up to the ninth floor, that is, a copy of it.

Q. Were any directives from Moscow ever received through this system?

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13938 The Witness: These articles all contained directives. That is to say, the Communists looked in these articles from Moscow for the directives and the line that was to be pursued, the attitude that should be taken.

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Q. What did the Daily Worker pay for this service? A. Nothing.

Q. Do you know who did pay for it? A. I do not know directly.

Q. Did you ever discuss it with any of the Communist Party leaders? A. Yes, sir. It was discussed extensively both before I was managing editor and after I was managing editor.

Q. By "extensively" what do you mean and with whom? A. With Grace Maul Granich, with Earl Browder, and some occasions with Joseph Brodsky.

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13939 Q. Let me ask you this: At the time you discussed the matter with Browder, what was his position in the Party, if any? A. He was general secretary, that is, head of the party.

Q. What did he tell you about the arrangement? A. He stated that this was free service from Moscow which we received, both for the benefit of the Party leadership and and for the benefit of the paper. Later of course other questions arose about this service.

Q. What were the questions that arose later? A. After the passage of the Foreign Registration Act of 1938, 13940 if I remember that year, the questions came up about how to handle this service, and while the service continued, a corporation was formed, the Intercontinent News, with the idea of finding some way of handling the service independent of the Daily Worker to all appearances.

Q. Who formed that corporation? A. That was formed by discussions between Browder, Grace Maul, and Brodsky, and approved by the Politburo, so far as I know.

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Q. Were these people you named, Mr. Budenz, all functionaries of the Communist Party when these matters were discussed? A. Yes, sir.

Q. All of them. Every one. Just tell the Panel in your own way what was decided and what was done about this matter. A. There were various steps. In 1938 or 1939 when I came into Chicago I attended a conference where I was invited to be present between Earl Browder and
13941 Grace Maul Granich and Joseph Brodsky, at which
this matter was taken up, and the formation of the corporation was discussed and also its conduct.

Q. What was Brodsky's position in the Party? A. He was attorney for the Communist Party. The Daily Worker had another attorney, but he was attorney for the Communist Party.

Q. Was there any change made in the actual physical receipt of the news? A. There was eventually, yes.

Q. Tell it in your own way. A. By 1941 it was decided that Grace Granich should take over as the alleged sole proprietor or owner or director of this Intercontinent News Corporation, and she first operated for a few months at least, maybe a little bit longer, in the Daily Worker Building, that is, on the ninth floor, and then moved over to 799 Broadway. That was in 1941.

Q. Do you know the purpose of her moving? A. Yes, sir.

Q. What was it? A. The purpose of her moving was to indicate that she was a separate corporation from the Daily Worker and therefore the Daily Worker would not have to file as a foreign agent.

Q. Were these operators and machines moved
13942 physically from the premises? A. The machines
were moved. One or two machines continued to receive news at the Daily Worker direct from certain correspondents that we had through the country and even one or two foreign countries.

Q. I mean the receipt of news from Moscow. A. They were moved out of the Communist Party Building.

Q. Did there come a time when the Department of Justice was insisting that the foreign propaganda be filed and labeled as such?

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The Witness: Yes, sir. The Department of Justice took over the matter of conducting the foreign registration act. Before that it was in the hands of the Department of State. They requested the Intercontinent News Corporation to register and also to label its corporation Communist propaganda or foreign propaganda according to the Act.

Q. Were the requirements of the Foreign Agents Registration Act a subject for discussion among you people? A. Oh, yes indeed. In fact, Grace Maul Granich was over at my office a number of times discussing the matter in various states of its development.

Q. Did she comply with the request that she label this information?

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13943 The Witness: No, sir. That was the point. That was the thing that wanted to be avoided.

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Q. What was the final determination in the matter, Mr. Budenz?

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The Witness: The final determination was that the Intercontinent News Corporation ceased operations because of this demand of the Department of Justice.

By Mr. Paisley:

Q. And then what did the Daily Worker do for news direct from Moscow?

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The Witness: We got a correspondent in Moscow and also began to use the Soviet Bulletin here of the Embassy and established certain correspondents in certain other for-

eign countries, Latin America and the like, but the correspondent in Moscow was supposed to endeavor to
13944 cover as much as possible of the whole international scene.

Q. Do you remember over what period of time Grace Granich resisted the efforts of the Department of Justice—

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Q. (continued) —to require her to file foreign propaganda and label it as such?

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Q. Approximately. A. The Department of Justice?

Q. Yes. A. About two years or a little less.

Q. Do you know from your discussions with her and other leaders whether she was finally required to comply by labelling the material she received—

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The Witness: Would you repeat that, please?

(The pending question was read by the reporter)

The Witness: Yes, sir, she was supposed to.

13945 By Mr. Paisley:

Q. Is that when she dissolved this Intercontinent? A. That is right.

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Q. Did you have any discussions with her or the Politburo or Browder or any other leaders of the Party as to why they did not wish to comply?

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The Witness: Yes, sir. That was a matter of extended discussion, I mean extended time. The reason was that they did not wish to register as foreign agents and also a very disturbing element was that when the Department of Justice came into the scene they did not wish an examination of the financial structure since they stated that it would show that the amount of money the Intercontinent News got from the

Daily Worker and Freiheit was inconsequential compared to the cost?

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Q. What was the importance of this service, if any, to the Communist Party of the United States?

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13946 The Witness: It was of very great importance, not merely to the Daily Worker which thereby received day to day indications of the line which should be followed and the interpretation of the line, but also, as I have stated, copies had to be sent up to the ninth floor and they were considered by the leadership of the Party as part of the directives they received.

By Mr. Paisley:

Q. Did any other publication in the United States receive this service direct? A. No. The Daily Worker sent a copy to the Freiheit, that is, when it was Runag. A copy was also reserved for the Freiheit. That was the daily paper which was also in the same building with the Daily Worker. Later on the Intercontinent News distributed it to the Daily Worker, Freiheit, and several other Communist controlled papers.

Q. To your knowledge, Mr. Budenz, did the Communist Party resort to any strategy to conceal its control of the Daily Worker?

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13947 The Witness: It was to separate the Party technically from the Daily Worker that the Freedom of the Press Company, Inc., was established.

By Mr. Paisley:

Q. That is the company of which you became president? A. That is right.

Q. Was Granich in the Party up until the time you left? A. Yes, sir.

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13953 Q. Do you know who had control of Party finances?

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The Witness: They were in the control while I was there of a commission headed by Weiner, assisted by Lement Upham Harris and the late Charles Krumbein. They supervised all finances of the Party and also decided on the needs of the various divisions of the Party.

Q. Did that include control of the Daily Worker finances? A. It included supervision of the Daily Worker finances.

Q. How about the finances of the International Publishers? A. It included the control of all organizations under the control of the Party, even including a number of Communist front organizations. That is, they were supervised by Weiner, assisted by Lement Upham Harris, and the late Charles Krumbein.

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Miss McHale: May I ask two or three questions?

13954 How much freedom, Mr. Budenz, did you feel that you had, if any, as managing editor of the paper or of the publication with respect to composition, et cetera?

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The Witness: The execution of things, that is, the assignment of things to be done was in the hands of the managing editor, but the complete control of the tone of the paper, its political attitudes, and even the leading articles was in the hands of the political bureau, and their representative conferred, as I have stated, I should say on the average of once a day, particularly during the latter part of my managing editorship, in addition to frequent discussions over the telephone and frequent visits upstairs to go over matters.

Miss McHale: How was this done in the day? Was the copy for the press read and checked?

The Witness: Yes. That was done as in a regular newspaper by copyreaders, but also on important matters the managing editor or the assistant managing editor, whoever was there in the evening, went over it. However, by

13965 that time the tone of the paper, the editorial policy and everything else had been decided.

Miss McHale: Did you have any recourse in the event you didn't agree with some of the decisions? To whom could you go?

The Witness: You had to agree with every decision. It would cause you to be expelled for some deviation if I disagreed.

Miss McHale: The other question is this: During your time with the Daily Worker, with the Communist Party, did they ever employ you on their headquarters staff in any capacity as a non-Communist?

The Witness: They did not. That is, when you say headquarters staff I judge you mean the personnel of the Party itself and the secretaries and telephone operators. They of course had to have some non-Communists among the printers, because the union insisted on certain rules in that respect. So far as I know these telegraph operators sent in by the outside agencies were non-Communists, but the entire staff, including telephone operators, secretaries, and everyone else had to be communists. In fact, you had to get their biography during a period of time for the control commission and examine them very carefully before putting them on, at least after a probationary period.

Miss McHale: This is my last question: In respect
13956 to the fealty oath I get the impression that not all groups had to take it, that it was optional at a particular time, but that some of the leaders had to take it. I would like to have that clarified.

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The Witness: This was presented to me as something that it was essential that I accept. I was told by Stachel that this was what all Communist functionaries had to have as their basic pledge and loyalty. There was no oath of that kind or pledge given to mass Communist members. At one time there was a pledge given which included very strong words in regard to attachment to Soviet Russia, but this pledge to Stalin was one which was given to party functionaries and leaders.

MISS McHALE: Over a period? There was no particular concentration of emphasis?

THE WITNESS: No. It occurred after the 1935 Congress, but all through the Communist directives and literature there is constant hailing of Stalin as the leader, teacher and friend. That is repeated over and over again in Political Affairs and The Communist.

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13957 CROSS EXAMINATION

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By MR. MARCANTONIO:

14055 Q. You testified about a meeting held in a basement in Chicago in the fall or winter of 1939-1940. You so testified here. A. That is right.

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14057 Q. You have testified here that at that meeting Dennis said the Party should be prepared in case the United States joined with Great Britain and against Hitler to turn the imperialist war into a civil war as Lenin had advised. That was your testimony here. A. That certainly is correct.

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Q. Are you sure, for example, that Dennis said in so many words that the Party should be prepared to turn the imperialist war into a civil war? A. He made two statements. He first said that we should be prepared to turn the imperialist war into something else, and 14058
then at the conclusion of the discussion he said we should turn the imperialist war into civil war, that we should be prepared if the United States joined Great Britain against Hitler.

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14059 Q. You wrote about this meeting in This is My Story? A. That is right.

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Joint Appendix

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Part 2

Q. Did you say there that Dennis talked about turning the imperialist war into a civil war? A. I may not have.

Q. As a matter of fact there you say that he said that the imperialist war would have to be turned into something else. A. Yes, I probably did.

Q. On cross-examination you say that Dennis made two statements. A. Oh, yes.

Q. The two statements, according to you, were, one, the imperialist war had to be turned into a civil war, and two, that the imperialist war had to be turned into something else. On direct examination you didn't say anything about Dennis making two statements. You attributed only one statement to him, did you not? A. I didn't give
14060 a whole resume of his statement there. That was the thing that I had most in mind at that time.

Q. But you were talking about this statement, this meeting in a basement, on direct examination, were you not? A. Oh, yes, I was but you don't cover everything that is said. I may remember in a few minutes something more that was said because you just don't cover everything in a statement. That is just known. I put down that he said turn the imperialist war into civil war, which he did, if the United States joined Great Britain.

Q. But you had gone over that particular meeting in the basement, this basement meeting, this so-called meeting that took place in Chicago—you had gone over that with Mr. Paisley before you testified about it? A. Yes, I did rather hurriedly.

Q. Hurriedly? Were not the question and the answer to that written out? Written out hurriedly, would you say? A. I don't know whether that was written out or not. I can't recall that particular matter.

Q. When you wrote about this episode—and I have your book before me, This is My Story, page 195—didn't you say as follows with reference to Mr. Dennis' statement?

"Gene Dennis was there from New York and gave a

brief report. In almost sepulchral tones he said the
14061 time was approaching when we would have to 'turn
the imperialist war into something else.' That was plain enough; it meant to be prepared to do anything to wreck American loans to aid Britain, either directly or indirectly."

Do you recall writing that?

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Q. Yes. I started reading from here (indicating). A. Yes, that is what I wrote.

Q. You testified that in 1939 you made a trip from Chicago to New York with Morris Childs to secure some money for the Midwest Daily Record. That was your testimony here? A. That is correct. It may have been the latter part of 1938, but it was in that period. My memory is that it was in early 1939. That is very correct. We had made several of those trips.

Q. Your memory isn't too good on dates, is it? A. Yes, it is good on dates, particularly some that stand out. But that was one of a series of trips made back and forth on this question. Weiner was out in Chicago on the money
14062 question, and Childs and I on several occasions were
in New York on it.

Q. You testified that you and Childs conferred in New York? A. That is correct.

Q. And you conferred with one Robert Weiner? A. William Weiner, yes.

Q. That Childs asked Weiner if he couldn't get some money from abroad? A. That is correct.

Q. And your testimony here is that Weiner answered that he could normally but channels of communication abroad had been broken for the time being. Was that your testimony? A. That is right.

Q. You testified here that "abroad" meant financial aid from Moscow? A. That is correct.

Q. Mr. Witness, you have had occasion to write or testify about the sources and nature of the finances of the Communist Party in your two books, is that right? A. To some extent.

Q. You did write about that subject matter, did you not? A. Yes, I did.

14063 Q. In your public testimony before various committees as well as in deportation proceedings and in court proceedings and in various other writings you have had occasion to discuss or narrate with reference to the source of Communist Party finances, have you not? A. Yes, sir.

Q. You testified this morning, did you not in one of the early questions I asked you, that you didn't say anything here that you hadn't said anywhere else publicly or that you hadn't written somewhere else publicly? A. That is my remembrance.

Q. That was just this morning. Do you remember being asked that question and making that answer? A. I say that was my remembrance this morning, that I had.

Q. You answered that question that you had not said anything here that you had not either published or about which you testified anywhere else, isn't that right? A. That was my remembrance.

Q. Publicly. Have you ever in any of your books or writings or in your published testimony related this alleged conversation between yourself, Childs and Weiner? A. It is my remembrance that I have somewhere. I certainly have told the Federal Bureau of Investigation about it.

Q. I didn't ask you about that. I didn't ask you 14064 what you told the Federal Bureau of Investigation. That is private. I asked where in your writings in your books which have been published or in your public testimony, where you have publicly testified and where the record of your testimony is available, have you testified relating this particular incident that you have related here that is alleged to have taken place between yourself, Childs and Weiner. A. I can't recall for the moment.

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14069 Q. Did you testify about it in a proceeding before the subcommittee on Immigration and Naturalization of the Committee on the Judiciary, 81st Congress, in May 1949? A. I don't know.

Q. Did you testify about finances in that proceeding? A. I did in part, yes.

Q. Didn't you make this statement? Page 240:

"The Party has a bigger treasury than you think. It can go out, and finance all the meetings, and it gets the money back, you understand."

Were you asked this question by the Chairman?

"Where does this treasury come from?"

And did you make this answer: "Of my own knowledge I can not say, but it certainly is supposed to come in part from Moscow."

Did you give that answer? A. I may have.

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14070 Q. I will show it to you and ask you whether or not you did, starting here (indicating).

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THE WITNESS: Yes, sir, that is correct.

By MR. MARCANTONIO:

Q. You did make that statement? A. That is of my knowledge.

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14096 Q. You testified that the Starobin letter was received by you in May 1945, is that right? A. I testified it was received in May because it was received after Manuilsky arrived and before the Duclos article was printed or made public.

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14108 Q. Did you make this statement in your book. I am reading from page 278 of your book entitled This is My Story:

"To a very inner group there had been a hint, of course, that the Soviet views were about to change. The most sensational by-product of the San Francisco conference was never published: the whispered orders of D. Z. Manuilsky, boss of the Communist International, to the American Party via the French Comrades. We got wind of this at the Daily Worker through a letter from Joseph Starobin, foreign editor of the paper, sent post haste from the conference scene in California. Manuilsky's indirect command did not censor Browder in any way, but it did bluntly order that Stettinius must be fought. However, this was supposedly in order to forward the pledge of Teheran—and so it was conveyed to us. There was not the slightest indication that Manuilsky intended any such drastic operation within the Party as Browder's political execution, though 14109 sharpshooting against the United States officials was not exactly the way Browder had talked. Naturally, the Daily Worker leaped to follow the Manuilsky command and increased its slurs and shouts against the Secretary of State."

Did you write that statement? A. I said here via the French Comrades.

Q. That is through the French Comrades. That is what you said, right? A. That was involved in the matter. That didn't necessarily require that I put in everything that was in the letter there. I mentioned the French Comrades there.

Q. I didn't ask you whether it was necessary or what was necessarily required. I asked you whether or not that is your writing. A. That is correct, Counsellor, but the French Comrades were mentioned there, Manuilsky is mentioned there, Starobin's letter is mentioned there.

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14110 Q. You say you don't remember your testimony before the UAC, the Un-American Activities Committee, on this subject? A. No, not in detail.

Q. You don't remember whether you testified about it or not, do you? A. I don't know.

Q. I will try to refresh your recollection on that by showing you your testimony. At page 34 did you make this statement:

14111 "As a matter of fact, right on the eve of the Browder business, Joseph Starobin, the foreign editor of the Daily Worker, wrote a very indiscreet letter to the editorial board of the Daily Worker, from whence it was snatched and immediately travelled to the ninth floor. And in that letter he said toward the end of the San Francisco conference, that the French Comrades, who were used largely to beat the Americans, asserted that there should be more of an attack upon Stettinius by the American Communists. He added that this was 'likewise the opinion of Comrade Manuilsky.' This letter was very quickly taken by Stachel and it travelled to the ninth floor and disappeared. This was an instance before Browder's deposition showed how things were going."

Did you make that statement? A. Yes.

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14123 Q. Was your report to the FBI about the Starobin letter the same as your testimony before the Un-
14124 American Activities Committee? A. I cannot recall now, counselor. I have given report after report to the FBI. I have answered questions they have asked me, and there have been many, many questions.

Q. Can you tell us whether or not the date that you gave them as to the receipt of the letter with respect to the beginning or the end of the conference, was the same as you gave to the Un-American Activities Committee? A. No, I can not.

Q. Or did it follow your description of the incident in "This is My Story"? A. I think it probably followed the description of the incident in "This is My Story," although there may have been more factors to it than that. I know, as I say, that the various items covered in the book were gone over with the FBI either before or after the book was published.

Q. Let me ask you this question specifically, if you remember: Did you tell the FBI that the Starobin letter was received toward the end of the San Francisco conference? A. I do not recall that. I do not recall their questioning me about the details of the matter. That is, I can not recall the details as presented to them.

Q. Do you recall whether or not you told the FBI that Starobin wrote that it was the French Comrades
14125 who said there should be more of an attack by the American party on Stettinius? A. I told them, yes, that, and that that was what Manuilsky said, also.

Q. You remember telling them just that? A. I don't remember specifically, but I know I gave them the substance of this material that we have had before us, that is—

Q. Do you remember specifically whether or not you told them that Starobin wrote that it was the French comrades who said that there should be more of an attack by the American party on Stettinius? Did you specifically give that report to the FBI? A. I gave the report that this flowed from Manuilsky. I don't know the exact phraseology in which I made it. I also referred to the French comrades.

Q. But you don't know whether you specifically made this statement? A. Oh, I couldn't remember that today, no.

Mr. Abt: If the Panel please, on the basis of the witness' testimony, we move that the Panel direct the petitioner to produce all reports made by this witness to the Federal Bureau of Investigation dealing with the so-called Starobin letter.

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14132 Mr. Brown:

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You have argued your motion at length on the production of the Bureau reports, and your motion is denied.

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By Mr. Marcantonio:

14150 Q. While you were connected with the Daily Worker did it ever carry an article or editorial written by you—and you were the managing editor for a time—which advocated the overthrow of the Government by force and violence? A. Not directly or specifically, no. That was not the line of the Party then. It had changed as a result of the People's front. Before that the Daily Worker did, but during our time these references were made through references to Marxism-Leninism, the Leninist classics, and the like.

Q. During your time—you were connected from when to when on the Daily Worker? When did you begin? A. 1935 to 1945.

14151 Q. So in 1935 to 1945 did you at any time write any article in the Daily Worker advocating the overthrow of the government by force and violence? A. No, I did not, not specifically.

Q. While you were with the Midwest Record did you or anybody else publish in that paper anything which advocated the overthrow of the government by force or violence? A. No, sir, except by reference to the works which stand for that program, but it was not the line of the Party at that time to publicly do that.

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14152 Q. When did Edwards tell you that he was a C. I. representative? A. He told me that in the latter part of 1935 or early 1936, or rather it was first told in his presence.

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14155 Q. Was it on just one occasion that he told you that or was it on other occasions that he told you? A. That I do not recall.

Q. But you distinctly remember one occasion that he told you that he was the C. I. Rep? A. That is right.

Q. You mentioned another occasion when somebody else in the presence of Edwards told you that he, Edwards, was a C.I. Rep. When was that occasion? A. Well, once Bittelman mentioned it, and I don't know whether this was in the presence of Edwards. I remember Bittelman mentioning it in his presence.

14156 Q. Going back in your testimony didn't you tell us here that there was another occasion when someone in the presence of Edwards told you that he was a C.I. Rep? A. Yes, I say Bittelman did on one occasion.

Q. But you now say it was not in the presence of Edwards? A. Oh, yes, it was. I am trying to recall whether Harry Raymond said it in his presence or not.

Q. But you do recall and you are certain, you say, that Bittelman in the presence of Edwards did say that he, Edwards, was a C.I. rep? A. That is right.

Q. When did that take place? A. That was in the spring of 1936.

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14160 Q. Was Harry Raymond a member of the Political Bureau? A. No, he was not.

Q. You were a witness in the trial, the United States v. Eisler, in the United States District Court for the District of Columbia, were you not? A. That is right.

Q. That testimony of yours took place in July 1947, did it not? A. That is substantially right, yes, sir.

Q. You testified for the government? A. That is right.

Q. Do you remember who the prosecutor was? A. Mr. Hitz.

Q. In this trial Eisler was charged with having made false statements in an application to the State Department for permission to leave the United States, isn't that
14161 right? A. Yes.

Q. One of the alleged false statements was that he had stated that he was not a member of or affiliated with any organization, although in fact, it was alleged, he was a member of and affiliated with the Communist Party, is that right? A. That is right substantially.

Q. And another alleged false statement was in answer to a question what names he had used, he had written only Gerhart Eisler, whereas it was charged that he had in fact used among others the names Edwards and Hans Berger, isn't that right. A. That is right.

Q. Before taking the stand of course you discussed your testimony with the prosecutor in that case, did you not? A. Yes, sir.

Q. You were informed of the nature of the trial, what the trial was all about? A. Yes, I was.

Q. You were fully aware of the accusations made against the defendant in that case? A. Yes, sir.

Q. You had informed the prosecutor the testimony you would give was testimony that would bear on the charges, on these charges that we have recited here? A. That 14162 was the supposition, yes, sir.

Q. The prosecutor told you, did he not, that one of the things he was trying to prove in the trial, that is, one of the issues, was that Eisler had been a representative of the Communist International? A. I do not recall that.

Q. You don't recall that? A. No. I recall the general charges against Eisler, that is, the ones on which he was tried as having misrepresented himself as being not a Communist when he was one.

Q. Don't you recall the prosecutor charged Eisler with being a representative of the CI? A. I do not.

Q. As a matter of fact, you were in the courtroom at the time the prosecutor opened up the case, were you not? A. No, I wasn't.

Q. You were conversant with the prosecutor's opening up and the charging that he made, were you not? A. I came in late and I wasn't there when he made the charges. I wasn't particularly familiar with them.

Q. You knew about the case from the beginning? A. Yes, I did.

Q. You followed the case from the beginning? A. Yes, to some extent.

Q. As a matter of fact, you read about the case in 14163 the press during that period, did you not? A. Oh, yes.

Q. You say now that you don't know that the prosecutor charged Eisler with being a representative of the CI, that that was part of the Government's case and that it was so charged? A. I don't recall it. I recall the charge that Eisler was technically arraigned on as I understood it, that is, that he had misrepresented his Communist Party affiliation.

Q. Those were the charges that he was technically arraigned on, and you were aware, were you not, that those charges did involve his being a CI representative? A. I suppose they did.

Q. You supposed at that time that they did, didn't you? A. I should say so.

Mr. Abt: If the Panel please, so that there may be no doubt about this question that Mr. Marcantonio has raised on cross-examination we request the Panel to take judicial notice of the opinions, both the majority and the dissenting opinions, in the case of Eisler v. the United States before the United States Court of Appeals for the District of Columbia, which appears in 176 Fed. 2d. page 21, and we direct the Panel's attention particularly to two brief statements in the opinion which I would like to point out. First, the following statement in the opinion of the majority of the court, and I quote:

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"In spite of this, the Appellant claims prejudicial error because the prosecuting attorney outlined in his opening statement the broad sweep which his proof would take concerning Eisler's activities as a Communist and as an agent of the Communist International."

That appears at page 23 of the opinion.

Then the following statement, which appears at page 25 of the dissenting opinion, Judge Edgerton's dissent, and I quote:

"The prosecutor in his opening statement told the jury that the Appellant 'was a representative of the Comintern and that his real purpose for coming to this country * * * was for the purpose of disrupting the economy of the United States, to further the ends of Moscow.' There was testimony that he had been 'the head of the Comintern' and was to direct the Communist Party in this country. He was represented as having taken a leading part in Communist activities here and abroad. The prosecutor in his closing argument told the jury that Appellant was 'Anti-Government.' "

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By Mr. Marcantonio:

14169 Q. Isn't it a fact that in that trial you stated that you related everything that you could recall about your meetings with Eisler in the 1930's. A. I don't know. It may be that I did.

Q. It may be that you did. So now you say that you may have said to the court and jury in that case that you had related everything that you could recall about your meetings with Eisler in the 1930's? A. It may be.

14170 Q. Since you say it may be, I ask you whether or not you were asked this question and whether or not you gave this answer: I am now calling the witness' attention to his testimony at page 1286 in the transcript of the proceedings, United States of America v. Gerhart Eisler. Were you asked this question and did you make this answer?

"Now have you related everything that you can recall about your meetings with Eisler in the 1930's?

"Answer: That is all that I recall."

Did you give that answer to that question? A. Yes, I did. That was all I could recall then, probably.

Q. That was all that you could recall at that time? A. That is right.

Q. That was in 1947? A. That is right.

Q. Is it not a fact that never in the Eisler trial did you testify that Eisler or Edwards had ever told you that he was a representative of the Communist International, as you have testified here? A. That may be. I took it for granted that everybody knew he was a CI Rep. I mean in my own mind.

Q. In your own mind. A. Sure. The whole course of Eisler, the Batory, the Red Polish ship and all that indicates that he was.

14171 Q. So the reason that you did not state at that trial that Eisler had told you that he was a CI Rep, as you have testified here, is because you assumed that everybody knew about Eisler's being a CI Rep? Is that your testimony now? Is that your explanation? A. I didn't recall the conversation and didn't think it necessary, probably.

Q. So you say now that the reason you did not make mention of it in that trial was because you did not recall the conversation and you didn't think it was necessary, is that it? A. That is right.

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14172 Q. Did you anywhere in that trial testify that anybody told you in the presence of Eisler that Eisler or Edwards was a CI Rep? A. I don't recall having done so.

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14328 Q. I show you Exhibit marked for identification CP-68, which is a pamphlet entitled "Red Baiting: Enemy of Labor," and ask you who wrote it. A. I wrote it.

Q. When? It states on the back cover. A. 1937.

Q. October, wasn't it? A. That is right.

Q. At that time you had been in the Party for about three years, is that right? A. That is right.

Q. You were then labor editor of the Daily Worker? A. That is right.

Q. I call your attention to the last page, which reads as follows:

"That is why the Communists place themselves in the front line trenches of the fight for trade unionism and democracy, along with other progressive trade unionists.

"That is why the Communists strive so zealously to build the unions and to preserve their unity from disruption."

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14380 Q. You testified here that after the passage of the Foreign Agents Registration Act of 1938, there was a discussion on how to handle the Runag service. A. That is right.

Q. You also testified that after the Department of Justice took over the registration of foreign agents from the State Department, the Department of Justice requested Intercontinent News to register, and also to label its material as foreign propaganda; wasn't that your testimony here? A. That is right. That was 1942, though.

14381 Q. You also testified that the reason why Browder and the other party leaders did not want to comply with the Act was because they did not wish to register as foreign agents and did not wish an examination of the financial arrangement by the Department of Justice. Was that not your testimony here? A. That is right. That is what Mrs. Maul Granich said several times.

Q. But that was your testimony here? A. That is right.

Q. Didn't you also tell us here that in 1941, Intercontinent News moved out of the Daily Worker office to separate itself from the Daily Worker so that the Daily Worker would not have to file as a foreign agent? Wasn't that your testimony here? A. That is right. The Intercontinent News was to be an independent corporation in appearance.

Q. Is it not a fact that the Daily Worker did register under the Foreign Registration Act? A. It registered, and denied it had foreign—as I remember, it registered, but denied it had foreign agents.

Q. But it did register, did it not? A. That is right.

Q. As a matter of fact, didn't you personally sign and swear to a registration statement under the Act?

14382 A. That is right.

Mr. Abt: Will you mark this?

(Document marked for identification CP Exhibit No. 70.)

By Mr. Marcantonio:

Q. I show you Communist Party Exhibit No. 70 for identification. That is a statement dated September 5, 1941, is it not? A. Just a moment. (Witness examining document.) That is right.

Q. It was filed with the State Department on that day or the next day, on or about that day, isn't that right? A. Yes.

Q. That statement was made by you as President of Freedom of the Press Company, Inc.? A. That is right.

Q. This statement refers to a prior statement dated October 10, 1940, does it not? A. That is right. I don't know.

Q. October 18. A. It states here October 18, 1940.

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14387 Q. In the October 1940 statement, which is CP Exhibit 71, reference is made, is it not, to a Registration Statement contained in CP Exhibit 72, which is the Registration Statement of March 1940? A. That is right.

Q. That is clear, isn't it? A. Yes, sir. But these statements were not made to avoid registration. They were to avoid registration as foreign agents. They deny they are foreign agents.

Q. These statements that you have, CP 70, 71, and 72, were all filed with the State Department, were they not? A. Yes, sir.

Q. And they are forms for registration under the Foreign Agents Registration Act, are they not? A. That is right, but they deny they are foreign agents. That is the point.

Q. Now I call your attention to Question 12 on Exhibit 72, which is the first statement that was filed, on March 29, 1940. Question No. 12. We have there the following question:

"Identification of all contracts of employment or other documents submitted herewith to indicate in com-
14388 plete detail the nature of the employment of registrant and the terms and conditions thereof. If contract is oral, a full statement of the terms and conditions thereof must be submitted herewith and identified herein."

Will you read the answer to that question? A. This is one that I had not made myself. This is a previous statement.

Q. That is right, but it was referred to. A. "Photostats of contract with the United Press attached hereto. The registrant receives the regular telegram and mail news service covering events all over the world for publication in newspapers and the United Press, under the contract, is entitled to the use of all news in our two newspapers for transmission to other parts of the world.

“No written or oral agreements have been made between the Daily Publishing Company, Inc., and the Rundschau, Delta Verlag AG, or the Agence France-Monde. Further answer to No. 12 on rider attached hereto marked ‘A’.”

Q. Will you read the answer in the rider? A. The rider is an insert, but it is under “A.”

“12 (continued): We send to the Rundschau, Delta
14389 Verlag AG and Agence France-Monde, or direct to
the newspapers receiving their service, news concerning current events in the United States and we receive from both Rundschau, Delta Verlag AG and the Agence France-Monde news of events in Europe.

“We receive these news services as a contribution given by Mr. Earl Browder, who is General Secretary of the Communist Party, U.S.A. Mr. Browder informs us that he arranged the service by agreement made in April 1936 with Mr. Julius Alperi, care of France-Monde, Paris, France, whereby the accounts for this service would be offset by (a) contributions to the news and press articles sent from the United States to Europe, to offices of newspapers designated by the Rundschau, Delta Verlag AG and Agence France-Monde, and (b) payment of account balances periodically to an agency of the Rundschau, Delta Verlag AG or of the Agence France-Monde, by means of publication rights abroad of the writings of Mr. Browder, William Z. Foster and others. This arrangement was established before the Daily Publishing Company, Inc., came into existence, and was continued by it as a matter of routine.”

That, however, was a device used in order to escape the Foreign Agents Registration Act.

Q. But they did register under that Act? A. They
14390 registered in order to say they had no foreign
principal.

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14530 Redirect Examination

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By Mr. Paisley:

14542 Q. With reference to this news service about which you testified and about which you were cross-examined, as I understand it both the State Department and the Justice Department were communicating with both Browder and Mrs. Granich during the period from this arrangement which was made by Mr. Browder right up through 1944 in an effort to get them to register as foreign agents, is that correct?

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14543 The Witness: Yes, sir.

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Q. How frequently did you discuss the matter of this effort of the State Department and the Justice Department to have these people register as foreign agents, as agents of a foreign principal? How frequently?

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14544 The Witness: I had frequent discussions of the matter, particularly with Mrs. Granich, who came over to my office almost once a week to discuss the matter, not that frequently, maybe twice a month, and then as 1942 to 1944 came about, that is, after it, I had a number of discussions with her some of which were quite close together, because at that time she contended that the Department of Justice was pressing very hard in regard to the necessity of labelling this material as propaganda. That was becoming more and more the insistence of the Department of Justice during that two-year period.

By Mr. Paisley:

Q. Do you remember now approximately when the Department of Justice finally ruled and so informed her that this material must be labeled?

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The Witness: It was around 1944, the early part of 1944.

By **Mr. Paisley**:

Q. Up to that time had there been any change or diminution whatsoever in the receipt of this news from Moscow?

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14545 **The Witness**: No. It came in in approximately the same volume. Of course just as at the time of Runag, there were periods when it was more intense, but it was approximately the same thing, translations of Soviet publications and other information from throughout the world gathered through Moscow.

By **Mr. Paisley**:

Q. In other words, did the pressure from the State Department and the Justice Department cause any change whatsoever in the transmission of this information to you?

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14546 **The Witness**: Not in the contents of the material up until about May 1944, when Intercontinent News was discontinued. During the time between Runag and Intercontinent News there was the same transmission of news except it came through Intercontinent News, and then in May 1944 Intercontinent News had to suspend.

Mr. Paisley: These next two documents, Mr. Chairman, if received in evidence, are rather short and could be read into the record. I don't have photostats. They are originals so I don't want them marked. I want to show them now to the witness and see if he can identify them.

Mr. Brown: Very well.

Mr. Paisley: If he does I would like the privilege of reading them into the record.

Mr. Brown: Show them to the witness, if you will, for identification, and then to Respondent's counsel.

(Respondent's counsel examining documents)

Mr. Abt: No objection.

Mr. Marcantonio: No objection, Mr. Chairman.

Mr. Brown: Very well.

MR. ABT: To save time, Mr. Paisley, we concede
14547 authenticity.

By MR. PAISLEY:

Q. Are you familiar with Grace Granich stationery? A. Yes, I saw this letter.

Q. Did you also see this notice sent out? A. Not only did I see it but it was given to me as a sample of what they were sending out.

MR. MARCANTONIO: We are not questioning the authenticity of that and we are not objecting to its going in.

MR. PAISLEY: I understand that. I am a little obstinate myself once in a while. I wanted the witness to identify it.

This letter is on the stationery of Intercontinent News, 207 Fourth Avenue, Room 902, New York City. Grace Granich, editor, cable address INCONTNEWS. American representative: Universal Press Service, Moscow, USSR. Dated May 16, 1944. Addressed to Mr. James R. Sharp, Chief, Foreign Agents Registration Section, War Division, Department of Justice, Washington 25, D. C.:

"Dear Mr. Sharp:

"Enclosed herewith is a copy of a communication which I have sent today to all my subscribers.

"Until it is definitely ascertained whether the new ruling
of the Attorney General applies to me, and I have
14548 obtained legal advice as to further procedure, I am
issuing no more bulletins, nor disseminating in any
way the cabled news service which I received from Universal Press Service in the USSR.

"In this connection I repeat again my conviction that the law in question should not apply to me since I represent a bonafide news agency in an allied country, which agency is not owned or controlled by either a foreign government or a foreign political party. As I told you when we discussed the matter in Washington in January of last year, I considered the application of this law to an agent of an unofficial news agency in the Soviet Union a discrimination against the Soviet Union, since the act specifically excludes from its provisions news agencies, privately owned, in friendly or allied countries.

"Yours very truly, Grace Granich, Editor, Inter-Continent News.

"Copy of Notice to subscribers."

Those words are typed at the bottom of the first page.

The enclosure is a mimeographed letter signed Editor, Intercontinent News, dated May 16, 1944, addressed "To All Subscribers."

"We regret to inform you that on May 15, 1944,
14549 we temporarily discontinued the news service supplied by this agency.

"We have been compelled to take this step because of a ruling of the Attorney General of the United States, which demands that the news supplied by Universal Press Service, Moscow, and distributed to you by this agency be labelled 'political propaganda.'

"Since we are unwilling to label the news received from the USSR as 'propaganda'—which it is not—and since we are seeking legal opinion in this matter, we have no other recourse but to discontinue our service, until such time as the situation may be clarified.

"If your failure to receive the service supplied by Intercontinent News works a hardship upon you, we can only refer you to the Department of Justice.

"Very truly yours, Editor, Intercontinent News."

At this time I ask the Board to take judicial notice of the provision of the Foreign Agents Registration Act, which, as I understand, makes a matter of public record all these registration statements that were filed with the Justice Department. I say that because we were accused here the other day of suppressing evidence. These documents that they put in evidence were matters of public record available to each side, and I hardly see how we can be justly
14550 accused of holding and secreting evidence.

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Mr. Brown: Do you want to refer to certain specific sections of that act?

Mr. Abt: We submit, Mr. Chairman, that the Panel can take judicial notice of the entire Foreign Agents Registration Act.

Mr. Brown: Very well. There being no objection, the Panel will do so. Let's proceed.

By Mr. Paisley:

Q. After that date you ceased to get this news service from Intercontinent News? A. It ceased completely.

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14660 **John Gates** called as a witness on behalf of Respondent having been first duly sworn, was examined and testified as follows.

Direct Examination

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By Mr. Marcantonio:

14662 Q. Do you hold any offices in the Communist Party at the present time? A. Yes.

Q. What office do you hold? A. I am a member of the National Committee of the Communist Party.

Q. When did you first become a member of the National Committee? A. Of the Communist Party?

Q. Yes. A. In July of 1945.

Q. Will you state the circumstances under which you were made a member of the Committee? A. Well, there was a Special Emergency Convention of the Communist Party at that time. I was not present at the Convention, I was a member of the United States Armed Forces. I was in Germany at the time. I was elected by that Convention to the National Committee in absentia.

Q. Had you, prior to that time, been a member of the National Committee of the Communist Political Association? A. Yes. At the Convention of the Communist Political Association in 1944, I was elected to the National Council of that organization, also in ab- 14663 sentia. At that time, I was in the Aleutian Islands in the United States Armed Forces.

Q. When did you take office as a member of the National Committee? A. When I returned from the Army, in, roughly, February, 1946.

Q. Have you been a member of the National Committee continuously since that time? A. Yes.

Q. You were re-elected? A. I was re-elected in the National Convention of 1948, and again elected in the Convention of 1950.

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14720 Q. Prior to your departure to Spain, did you make an application for a passport? A. I did.

Q. Under what name? A. Under the name that was on my birth certificate, Isriel Ragenstrich.

Q. The name on your birth certificate? A. Yes, sir.

Q. Did the application call for a listing by you of the countries to be visited? A. It did.

Q. Did you list Spain as one of the countries to be visited by you? A. I did not.

Q. Why not? A. Because at that time the Government of the United States of America did not permit anyone to use a passport for traveling to Spain, although it did permit passports for traveling to Fascist Germany and Italy. 14721

Q. On your arrival in Spain, did you serve with the International Brigade? A. I did.

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14759 Q. Now, what are the objectives of the Communist Party? A. Well, we divide the objectives of the Communist Party into two parts, the immediate and ultimate objectives of the Communist Party.

Q. What do you and your associates mean by the terms ultimate and immediate objectives? What is the ultimate objective?

First, what is the immediate objective? A. The immediate objectives of the Communist Party—

Q. Just a moment. Before you give us the meaning of the ultimate and immediate objectives, will you first tell us what is the difference between the two?

Mr. Paisley: You mean as far as the Communist interpretation as applied to the United States?

14760 Mr. Marcantonio: That is right, of the United States.

The Witness: By immediate objectives, we mean all of those interests of the American people arising out of the every-day effects of the operation of the capitalist system on their struggle for existence to make both ends meet, from the economic point of view, all of those issues arising out of the improvement of their democratic rights, preservation and extension of those rights, and the peace of the American people and the world.

Generally, these immediate objectives have to do with those issues that can be solved within the framework of the capitalist system, that is, they can be won, they can be achieved.

The ultimate objectives refer to the cause of these evils, the operations of the capitalist system, and have to do with those measures that bring about a final solution, a radical solution, a solution that strikes at the roots of the evil of the capitalist system. That is, a revolutionary change. That is the ultimate objective.

By Mr. Marcantonio:

Q. Now, what do you mean by a revolutionary change? A. By a revolutionary change I mean the superseding of the capitalist system, which is a system of the ownership of the mines, mills, factories, means of communications, by a few capitalists and operated for profit on the basis 14761 of the exploitation of the many, the superseding of this system by a socialist system, namely a system in which these means of production, that is, the factories, mines, mills and so on, pass over into public ownership from private ownership, and are operated under a government of the majority of the people led by the working class, and in which the goods that are produced by the mills and factories and so on under this public ownership are produced for use and not for the profit of any few individuals. And a system in which, therefore, the exploitation of man by man is limited.

Q. Now, what do you say, then, is the ultimate objective of the Communist Party of the United States? A. The attainment of socialism in the United States.

Q. And socialism is what you have defined here a moment ago. A. Yes, sir.

Q. Now, specifically what are the immediate objectives of the Communist Party of the United States? A. Well, as I said, they fall into the categories of promotion of the economic interests and welfare of the American people, the preservation and extension of the democratic rights and liberties of the country which specifically also deal especially with the problems of the Negro people of the United States, and lastly all those questions having to do with the peace of the nation.

14762 Q. Now, what means does the Communist Party of the United States of America advocate to achieve these objectives, both immediate and ultimate? A. Peaceful and constitutional means.

Q. Just exactly what does the Communist Party mean when it says by peaceful and constitutional means? A. It means the exercise of the constitutional rights of the American people, freedom of speech, freedom of assembly, freedom of views, freedom of the press, to place our views before the American people on all of the matters that modern industry has created in order to do that, within these constitutional safeguards.

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Q. Are these objectives of the Communist Party stated in any official document of the Party? A. Yes, they are stated in many official documents of the Party. They are first of all stated in the constitution of the Communist Party of the United States, and they have always

14763 been stated in the constitution of the Communist Party of the United States. They have also been stated very often in the main resolutions adopted by various conventions, national conventions, of the Communist Party, national committee meetings, meetings of all types, resolutions, main speeches made by leaders of the Communist Party and so on. Throughout our literature of the Communist Party of the United States, these things are stated.

Q. And you say these things are stated in the constitution? A. Yes, that is the basic document of the program.

Q. That constitution is distributed widely among the membership? A. Yes, it is distributed widely among the membership and it is also distributed to non-members of the Communist Party.

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14900 Q. Tell us about the national board, how the number of its membership was determined and what its
14901 functions were, and how it was elected. A. Yes. By the way, I should mention that the constitution prescribes that the National Committee shall meet at least four times a year. The 1945 convention of the Communist Party elected a national committee of some 55 members and these were from all over the country. This created a great problem of how to conduct the work of the party in between meetings of the national committee. It was not practicable for 55 members of the National Committee to come together every week to conduct the every-day affairs of the Communist Party. So a national board was elected by the National Committee consisting pretty much of resident members of the National Committee, resident in New York, which was the headquarters, national headquarters, of the Communist Party.

The National Board was elected by a meeting of the National Committee that took place after 1945. At the 1948 convention, due to the fact that the size of the national committee was reduced sharply from 55 to 13, there was no provision for the election of a national board, and this new national committee met much more regularly than national committees in the past.

Q. How was this board elected at that time? A. By the National Committee of the Communist Party, by a majority vote.

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14927 Q. Will you state what this term or what understanding of this term democratic centralism you and your associates in the Communist Party had? A. Democratic centralism is that principle which governs the party organization and function. Democratic centralism means, first of all, the broadest democracy in the operation and functioning of the party. The constitution of the Communist Party of the United States lays down a number of principles to fulfill this concept of the broadest democracy, and that every member of the Communist Party not only has the right but the duty to participate and discuss the formulation of all party policies and programs.

All policies of the party are democratically arrived at. And I might say that the functioning of the Communist Party, its procedure at conventions, and so on, is a million times more democratic than the way the Republican and Democratic Parties function in this country.

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14928 THE WITNESS: The centralism part of the concept has to do with, once the policies of the party are formulated, democratically, in the manner that I have described, by majority votes at conventions and so on, with delegates democratically elected, that once party policy or decisions are made by majority vote, then each and every member is obligated to carry out that decision as long as it remains in force, or until that decision is changed. This is our position because ours is a serious political party. We are not just a discussion organization or just a talking shop. We are a party that is interested in bringing about an improvement in the welfare of the American people, and

in finally achieving socialism. Therefore, after the broadest operation of democracy, we finally decide upon policies, and then we proceed to carry out those policies as effectively as we can. That is why we have this principle of
14929 centralism, that once policies are decided upon by a majority vote, that all members are obligated to carry out that policy.

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14969 Q. Now, Mr. Gates, at any time since January 1946, when you took office as a member of the National Committee, has the Communist Party been affiliated with any other organization? A. It has not.

Q. I beg your pardon? A. It has not.

14970 Q. Has the Communist International been in existence at any time since the date that you took office on the National Committee? A. It was not in existence at anytime during that period.

Q. Do you know of an organization known as the Communist Information Bureau? A. I do know of such an organization.

Q. Is the Communist Party affiliated with that organization? A. The Communist Party of the United States is not affiliated to the Communist Information Bureau.

Q. Does the Communist Party pay any of its money, dues money or any other money, to the Communist Information Bureau? A. Well, we have never contributed so much as one cent to the Communist Information Bureau.

Q. Does the Communist Party pay or contribute any funds or give any financial assistance, direct or indirect, in any manner, shape or form to the Communist Information Bureau? A. None whatsoever.

Q. When and how did you first learn of the organization of the Communist Information Bureau? A. From
14971 Capitalist newspapers, reading it in the New York papers, the Times and Tribune and Daily News and so on, at the time that this was formed.

Q. Can you tell us approximately when that was? A. I believe it was some time in 1947 but I can't place the date more closely than that.

Q. After you learned through the New York papers, was there any discussion of this organization, that is, the Communist Information Bureau, was there any discussion of that organization in the National Board of the Communist Party of the United States? A. There took place some informal discussion, based on the reports that had appeared in the capitalist newspapers. But we withheld any official or formal discussion until such time as we were able to see the official documents of that event, the formation of the Communist Information Bureau.

Q. When you say official document, specifically what do you mean by that? A. I mean the reports that were made at that founding conference and the resolutions that were passed at that founding conference.

Q. Contained in what? A. They were contained in various publications that were published in Europe, and when those publications arrived in this country they were
14972 translated and made available to us.

Q. These were publications published for the public consumption, is that right? A. These were Communist Party publications in Europe, openly published. It is the same as our Political Affairs is published here in the United States.

Q. And that is what you meant by official documents when you said you waited to see the official documents?

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14973 THE WITNESS:

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When I said official documents what I meant was the reports which appeared in the capitalist press we did not consider to be authentic. They were just excerpts and were not complete. We didn't know whether they were garbled or not. We wanted to see the actual speeches, the actual text of the speeches, and so on, that were made there. That is what I meant by official documents. Official of the Communist Information Bureau. That is what I meant.

14974 By Mr. Marcantonio:

Q. After you received the publications, the Communist publications, which officially reported the news of the organization of the Communist Information Bureau, did the National Board have any further discussion? A. Yes, we did.

Q. What was the result of that discussion? A. The result of that discussion was the issuing of a statement signed by Mr. Foster, the Chairman of our party, and Mr. Dennis, the General Secretary of our Party, as to our position on the formation of the Communist Information Bureau.

Q. I show you Petitioner's Exhibit 368, in evidence, which is an article entitled "United States Communists decided not to join nine-party body," contained on page 2 of the Daily Worker of New York, Monday, November 3, 1947, and I ask you if that is the statement that you referred to when you said that the National Board voted and issued a statement. A. Well, what this is, it is a news story reporting the action taken by the Communist Party, and in the course of the news story it then gives the text of the statement of the Communist Party.

Q. I ask you to look at that text, and I ask if that is the
accurate text of the statement issued by the Com-
14975 munist Party. A. It is, but there appears to be a
typographical error in the paper which I regret,
having been the editor of the paper at the time. But it is the
statement, outside from that typographical error.

Q. Now, was that policy set forth in that statement carried out by the Communist Party? A. Yes.

Q. Has there ever been any change in that policy? A. No, there has not been.

Q. Did any representative of the Communist Party attend the meeting of the Communist Information Bureau referred to in Exhibit 368? A. You mean of the Communist Party of the United States?

Q. That is right. A. There was no representative of the Communist Party of the United States there attending any meeting.

Q. Has any representative of the Communist Party attended any subsequent meeting of the Communist Information Bureau? A. No.

Q. So that we will have the record clarified, when I say Communist Party, I mean Communist Party of the United States. I will try to say Communist Party of the
14976 United States but sometimes I inadvertently leave
it out. So when I say Communist Party I mean Communist Party of the United States. Has any representative of the Communist Information Bureau visited the United States? A. I don't know whether any representative has ever visited the United States. I know that no representative has ever visited the Communist Party of the United States. That I know.

Q. Has the Communist Party received any written or oral directives or instructions from the Communist Information Bureau? A. We have never received any directives or instructions from the Communist Information Bureau.

Q. Has the Communist Party of the United States received any written or oral directives or instructions from any representative of the Communist Information Bureau? A. We have not.

Q. Has the Communist Party of the United States received any written Communications of any kind from the Communist Information Bureau? A. We have not.

Q. When you say "We have not," you are talking, of course, of up until the date you went to prison, is that right? A. Yes, I am talking about the entire period that I was a member of the National Committee until the
14977 time I went to prison. Of course, dating from the
formation of this organization.

Q. And you are talking of the entire period during which you were in a position to have knowledge? A. That is right.

Q. Which ceased after you went to jail. You were then no longer in a position to have any knowledge, is that right? A. Aside from what I read in the newspaper I get in prison, the New York Times.

Q. Now, has the Communist Party received any written communication of any kind from the Communist Information Bureau? A. No.

Q. Prior to your imprisonment, did you read "Lasting Peace"? A. I did.

Q. Did you read it regularly? A. As regularly as I could. I may have missed some issues.

Q. Did Lasting Peace contain any directive or information to the Communist Party of the United States, instruction, rather, directive or instruction to the Communist
Party of the United States? A. I never read any
14978 issues of Lasting Peace in which I saw any instructions or directives to the Communist Party of the United States, and the National Committee of the Party, during this period I am speaking of, never understood that it was receiving any such instructions or directives from Lasting Peace.

Q. Now, did you or your fellow associates, fellow members, of the National Committee of the Communist Party of the United States consider any of the contents of Lasting Peace as constituting a directive to the Communist Party of the United States? A. We did not.

Q. What was your purpose in reading Lasting Peace? A. My purpose was to gain information on world affairs. First of all as editor of the Daily Worker, I naturally was greatly interested in what was going on in the world, and was very desirous of gaining as broad a knowledge and as wide information as possible, and I considered many of the things that appeared in Lasting Peace very informed articles on the state of affairs in the various countries of the world, and very valuable to my own information and knowledge.

Furthermore, I was interested as a member of the National committee of the Communist Party in the affairs of other Communist Parties of the world. This news-
14979 paper, Lasting Peace, served as a medium for the publication of information as to what was going on within various communist parties throughout the world.

Q. What is the source of your knowledge of policies and activities of the Communist Information Bureau? A. The source of my knowledge is entirely from this newspaper, Lasting Peace, which publishes news about the Communist Information Bureau, and Communist parties throughout the world.

Q. Did you receive any information with respect to the Communist Information Bureau through any other press? A. Well, something may appear in a capitalist press. This newspaper, Lasting Peace, is publishing in Bucharest. During the years that we are speaking of there were reporters for capitalist newspapers in Bucharest. When this paper would come out on the streets they would get a scoop on the Daily Worker. They would get news of this before we would get copies of the Lasting Peace in New York. They would sometimes print excerpts in their newspapers in New York. So sometimes we would sort of get advance notice in the capitalist press as to what was to come in Lasting Peace when it finally arrived in the United States. Lasting Peace arrived in the United States sometimes several weeks after it was published, in fact sometimes several months,
14980 because they were often held up by some authorities, I don't know whom, the customs office, and their distribution in the United States was delayed for a considerable time.

Q. What is the source of your knowledge of the structure and methods of functioning of the Communist Information Bureau? A. Solely from what the Communist Information Bureau publishes and states itself in its newspaper Lasting Peace.

Q. Since you assumed your duties as a member of the National Committee, has the Communist Party of the United States received any directive or instructions from the Communist Party of the Soviet Union? A. We have never received any directives or instructions from the Communist Party of the Soviet Union.

Q. Or from any representative of the Communist Party of the Soviet Union? A. Nor from any representative of the Communist Party of the Soviet Union.

Q. Or from any official of the Soviet Union? A. Nor from any official of the Soviet Union government.

Q. Or from the Communist Party of any other country? A. We have never received any instructions or directives during this period which you are asking me about from a representative of the Communist Party of any other country.

Q. Or from a representative—I asked you before
14981 —from the Communist Party of any other country,
or from the representative of the Communist Party
of any other country? A. Neither from the Communist Party of any other country or from the representative of the Communist Party of any other country.

Q. Since you assumed office as a member of the National Committee in 1946, January, has there been a representative of the Communist International in the United States? A. There has not been because the Communist International has not been in existence during that period.

Q. And since that date, that is, when you assumed office in the National Committee, has there been any person in the United States who was the equivalent or acted as a representative of the Communist International? A. Not to my knowledge.

Q. Do you know Gerhard Eisler? A. I know him, yes.

Q. When and where did you first meet him? A. I met Mr. Eisler for the first time some time in 1946, after I returned from the Army. I believe it was in early 1946 that I met him for the first time. I met him in the Borough of Queens

New York. He happened to live just a few blocks away from
where I lived in Queens New York City. He asked to see
me and I met him at his house, I believe, and we had
14982 a conversation there. What it was was that he
learned that I had returned from the Army and that
I had been stationed in Germany. Since he was expecting
to return to Germany shortly he was very anxious to hear
any news of what I had seen and what was going on in
Germany.

Well, I wasn't able to tell him too much about that, but we had a little chat about Germany and what I had seen as a member of the Army in Germany, and that was the end of the conversation.

Q. Did you meet him on any other occasions? A. I met him on several other occasions since then. I once spoke at a meeting in Philadelphia, a public meeting, on the same platform with Mr. Eisler. During the trial at Foley Square, under which I was convicted, I think he visited the trial there one day and was in the audience, and I spoke to him for a moment in the corridor there in the courthouse. I believe I saw him at a reception once, a public reception, given in a hotel, for the Communist leaders who were under indictment under the Smith Act.

As a matter of fact, I think he was one of the speakers at that reception.

Those are the only occasions I have seen him except there
may have been other public meetings or gatherings of this
type where we may have just passed each other and said
hello or something like that.

14983 Q. Did Eisler ever give you any directive or in-
struction with reference to the conduct of the affairs
of the Daily Worker? A. He never did.

Q. Did he ever give you any directive or instruction with reference to the policies, or the affairs of the Communist Party of the United States? A. He did not.

Q. And did he ever give you any directives or instructions with reference to the activities of the Communist Party of the United States? A. He never gave me any instructions or directives whatsoever.

Q. Did Eisler, in your presence, give any other member of the Communist Party any directive or instructions with reference to the policies and activities of the Communist Party of the United States? A. He did not.

Q. Did Eisler ever state in your presence that he was a representative of the Communist International? A. He did not.

Q. Or that he was the equivalent of a representative of the Communist International? A. He did not.

Q. Or that he was functioning as such? A. He
14984 did not.

Q. Did any of your associates, members of the Communist Party, and members of the National Committee, ever state, in your presence—or national board, for that matter—ever state in your presence that Eisler was a Communist International representative? A. No.

Q. Or that he was the equivalent of a Communist International representative or functioning as such? A. No.

Q. Did you ever hear that statement made by anyone in the Communist Party? A. No.

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14988 Q. Now, since you assumed your duties as a member of the National Committee, how have the funds of the Communist Party been obtained? A. The funds of the Communist Party have been obtained entirely from the collection of dues on the part of the members, from the members of the Communist Party. That is prescribed in the constitution. And from donations from the party members as well as soliciting donations from the public in general. We held annual collection campaigns for the collection of funds to finance our activities. From the sale of literature, although that was primarily an expense rather than an income, but income would come in on it. These were all of the methods that we had of obtaining finances in the Communist Party of the United States.

Q. Did you or the Party obtain any money from any sources outside of the United States?

Mr. Paisley: To his knowledge.

Mr. Marcantonio: I beg your pardon.

Mr. Paisley: To his knowledge.

Mr. Marcantonio: Naturally, to his knowledge. It couldn't be anything outside of his knowledge.

Mr. Brown: Let's proceed. To your knowledge, Mr. Gates.

The Witness: To my knowledge as a member of 14989 the Communist Party during that period, we received no moneys, no funds from outside of the United States of America.

By Mr. Marcantonio:

Q. Since you became editor of the Daily Worker in 1947, how has it been financed? A. The Daily Worker financed itself entirely through the sale of the paper, the sale of subscriptions to the paper, and through donations from the readers of the paper in the United States.

Q. What was the annual budget of the Daily Worker? A. Well, in the years that I was editor, the annual expenditures of the Daily Worker were on the average of—this includes Sunday Worker, the Daily and Sunday Worker—the annual expenditures were roughly three quarters of a million dollars, $750,000.

Q. Before we go further with reference to the finance of the Daily Worker, I just want to make certain of one matter. I have asked you with respect to the Daily Worker, I now ask you with respect to the Sunday Worker. How was that financed, first? Answer that question. A. In exactly the same way as the Daily Worker is financed.

Q. And second, did the Sunday Worker receive any funds from any sources outside of the United States? A. No.

14990 Q. And the same question with respect to the Daily Worker, did it receive any funds from sources outside of the United States? A. Well, there may have been a subscriber in Europe who bought a subscription, and in that sense contributed the cost of that subscription.

Q. I mean outside of a subscriber or a subscription. I mean any other sources outside of the United States. A. No.

Q. That goes for both the Daily and Sunday Worker? A. Yes.

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14998 Q. During the period of your membership on the National Committee, has the Communist Party sent any member or representative to any school, class,
14999 or institute in the Soviet Union? A. No.

Q. To any Communist School, class, or institute in any foreign country. A. No.

Q. To your knowledge, during this period, has any member or representative of the Communist Party attended any such school, class, or institute? A. A Communist School?

Q. That is right. A. No.

Q. During this period, has the Communist Party sent any member or representative to the Soviet Union for instruction or training in the principles, policies, strategy, or tactics of Communism? A. No.

Q. Has it sent any member or representative to any other country, foreign country, for that purpose? A. No.

Q. During the period of your membership on the National Committee, has the Communist Party reported its policies, plans, programs, or activities to the Soviet Government? A. To the Soviet Government?

Q. That is right. A. No.

15000 Q. To the Communist Party of the Soviet Union? A. No.

Q. To the Communist International? A. No.

Q. To the Communist Information Bureau? A. No.

Q. To any representative of the Communist Information Bureau? A. No.

Q. To any representative of the Communist International? A. No.

Q. To any agency or representative of the Communist Party of the Soviet Union? A. No.

Q. During this period, has the Communist Party sent any member or representative abroad for the purpose of making any such report? A. No.

Q. During the period of your membership on the National Committee, has the Communist Party of the United States reported to the Government of the Soviet Union? A. No.

Q. And to the Communist Party of the Soviet Union? A. No.

Q. And to the Communist Information Bureau?
15001 A. No.

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15010 Q. Were there any discussions within the National Committee with reference to the size of the club? A. During this period yes, many discussions.

Q. What was said in these discussions? A. Well,
15011 there was a running discussion with pros and cons with respect to the size of the clubs. By the way, I would like to interpolate that as long as I have been in the party, since 1933, there has been this running discussion as to what should be the size of the clubs of the Communist Party. Now, discussion was as follows: That is, that there was one group that was in favor of continuing the clubs at a size of 25, and the arguments in favor of this was that the larger the clubs of the party the more attractive they would be for members of the party as well as for potential members of the party. That is, when you have a larger number in a club you could have a better social life, more active educational life, the club would be stronger, be able to do more things than a smaller club would be able to do.

These were the main reasons why larger clubs were favored in this discussion. This was the argument that has been put forward over the years, as well.

On the other hand, the arguments against this were that when you have a large club of the Communist Party, 25 or larger, and in the history of the party there have been clubs of the party that had as many as a hundred members or more, that it is difficult for the leadership of that club, large

club, to keep in touch with all of the members, and as a result of which many of the members are inactive and the
leadership loses touch with them, and you don't have
15012 the maximum activity of the membership of the
Communist Party that we are interested in. We are interested in bringing about a one hundred per cent activity on the part of the membership of the Communist Party. However, we have never attained that ideal, and I don't know whether it has been attained since I have gone to jail but that is the ideal that we have been working for.

An additional factor that began to play an increasing part in our discussions during this period now that I am discussing was the fact that a severe period of repression had set in for members of the Communist Party. This created a serious problem and created a serious situation among the rank and file membership of our party, and many questions were being raised by the members of the party as to what to do about this situation. We were forced to deal with this and take whatever necessary measures were needed. It was said in the discussion that many Communists were being deprived of their constitutional rights of freedom of speech, freedom of assembly, freedom of thought, and that there was a whole series of measures instituted by government which jeopardized the means of livelihood of Communists as well as the personal safety and freedom of Communists. Among these measures were the Truman loyalty probe and purge as a result of which Communists, for mere membership in the Communist Party, and for no deeds or acts of any kind,
15013 were disqualified from working for the government,
a whole series of measures that were taken in many states depriving Communists who were teachers of the right to be teachers in the public school system of the country for the mere fact of membership in the Communist Party, and not for any of their teachings in those schools; the fact that the Taft-Hartley law had been passed and interfered with the right of Communists within the unions to be elected

freely by their membership to office in those unions under penalty of losing collective bargaining rights with the National Labor Relations Board; the fact that in many plants, many factories, of the nation, workers were fired for mere membership in the Communist Party. All of these various things that had happened, then climaxed by the announcement of Secretary of Labor Schwellenbach of the intention of the Government to outlaw the Communist Party and then finally the indictment of the 11 Communist leaders under the Smith Act, their conviction, and its being upheld by the Supreme Court and the passage of the McCarran Act and its application with the ordering of the hearing in the case of the Communist Party.

Now, particularly following the conviction of the Communist leaders under the Smith Act and its being upheld by the Supreme Court, and the following statement that was made by an Assistant Attorney General, Mr. Whearty—

Mr. Abt: Will you spell that?

15014 The Witness: W-h-e-a-r-t-y. —before a congressional committee to the effect that the Department of Justice was ready once the Supreme Court had upheld the conviction of the 11 Communist leaders at Foley Square, to proceed against 12,000 members of the Communist Party.

Following especially these events and the passage of the McCarran Act, we were confronted with the situation in the Party with many questions of fears on the part of the rank and file that it was necessary to take the measures to protect the Constitutional rights of members of the Communist Party.

We discussed this and we said this would be entirely unnecessary, any measures of this kind to protect our members, if it were not for the fact that the members of the Communist Party were being illegally deprived of the Constitutional rights that all other Americans enjoyed. We therefore then decided to take a number of measures to bring about the protection of the lives, the safety and the means of livelihood of these members of the Communist Party.

Now, these measures that I will enumerate that we took had nothing whatsoever to do with concealing the views or the program of the Communist Party. As a matter of fact, it was because we wanted to be able to continue to reveal the views and policies and program of the Communist
15015 Party to the American people that we were determined to protect our members in their constitutional rights. We said in this discussion that the American history bore out this stand on the part of the Communist Party, that all of the great democratic and revolutionary movements in American history were forced at one time or another to resort to methods of secrecy as a result of repressive measures, repressive laws that were in operation against them, and that in all cases in past American history where these methods of secrecy were necessary, that they were not for the purpose of concealing the program of these movements but were for the purpose of protecting the people involved in these movements from the deprivation of their legal, constitutional, democratic rights.

In taking this stand about American history we referred to a number of events, we referred to the fact that the early American revolutionists in their struggle against the British Empire were forced to resort to methods of secrecy, the committees of correspondence. The very Boston Tea Party was composed of men who were forced to disguise themselves as one hundred per cent Americans. And, of course, the revolution itself.

The movement against the British Empire which was then in power in the United States in many respects, of course, had to be secret.

15016 Then, following this situation there was the situation that arose at the time of the alien sedition acts in 1798. In this particular situation the Jeffersonians at that time were driven largely underground. They were denounced as agents of a foreign power, as agents of revolutionary France, because of their opposition to those in America, to those who were then in control of the Government, who wished to declare war against revolutionary France. The stand of the Jeffersonians was that such a war was not in the interests of the American people and they opposed such a war.

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15017 THE WITNESS: The Jeffersonians were forced as a result of the alien sedition acts, as a result of which many of their leaders were put in prison, to organize secret clubs, political clubs. Well, finally, as we know, Jefferson was elected and the alien sedition acts were nullified.

15018 We further mentioned the case of the abolitionist movement prior to the Civil War. They certainly organized secretly and, as a matter of fact, their main operation was called the underground railroad, and was the only means that they would have of facilitating the passage of fugitive slaves from slavery to freedom, although this was against the law at that time. And we said that history has now given its judgment as to who were the real lawbreakers of that period, the abolitionists, who were helping to create the situation of freedom, or those who passed such laws as the fugitive slave law, who propounded the Dread Scott decision and so on.

Then there was the very important historical antecedent of the trade union movement, which, in its beginning in the United States of America, had to organize entirely as secret organizations. They were declared conspiracies in the early days, conspiracies against the Government of the United States, by various judicial decisions and laws. After many decades of struggle, these trade unions won their rights. But even up until modern times and even up until the present time, the unions still have not won their full legal rights of organization.

I have already testified the other day about a period when the big industries of this country like the steel industry were unorganized, were open shop, and not until the
15019 coming of the CIO in 1935 and thereafter did these
unions win legal recognition.

This situation continues in this country even now in certain areas of the South where workers remain unorganized and are forced to operate secretly in many instances in order to prevent their being blacklisted. These were all examples that we based ourselves on to show that all of the democratic and progressive movements of the past in our country had to go through this process because of illegal and unconstitutional and undemocratic obstacles that were put in their path, and that there was no attempt on the part of any of these to conceal from the American people their aims, their intentions and their purposes, only to protect their individual persons and to protect their constitutional rights.

We, on the basis of this thinking, therefore, decided to sharply reduce the size of the membership of the clubs of the Communist Party. We decided to reduce them so that there would be less possibility of penetration by either government or company spies, and the bringing about of either blacklisting of these members of the party who may have been working in industry or to bring about possible physical harm to the members of the party. We felt that with small organizations if, indeed, some spies of this type would penetrate into the organization, well, then, they could do
15020 the least possible damage. In a small club they would be able to finger just a few people, and they would only be able to damage just a few human beings. In a big club they would, of course, be able to do much more damage.

Then we took other measures as well, and this was to eliminate any lists of membership in the organization. In prior years we used to have membership lists, and we did away with these lists as well for fear—

By Mr. Marcantonio:

Q. Was there anything said in those discussions with respect to FBI informants that had been infiltrated into the Communist Party? A. Well, we knew very well that these informers had infiltrated into the party. We knew it very well from the testimony of many of these informers at various proceedings that took place.

It was said by these informers that they would report to the FBI as long as they were present in the ranks of the Communist Party anything that would take place in the Communist Party, even if a member of the Communist Party bought a pair of shoes they would report that to the FBI. This was testified to at Foley Square in my presence. We considered this an outrageous and immoral and undemocratic invasion, to say nothing of our constitutional rights, of our privacy as human beings, the privacy of our 15021 homes and so on, that the FBI has no business inquiring into matters of this nature and we are fully justified therefore in preventing the Government from invading our privacy in this fashion.

Q. Did there ever come a time, therefore, when the club membership was reduced to a size of no more than five? A. Yes, there did.

Q. When did this occur? A. Well, as I mentioned before, after our conviction and it was upheld by the Supreme Court, and the statement by a representative of the Department of Justice before a Congressional Committee, about the 12,000 pending prosecutions, and the passage of the McCarran Act.

Q. What action was taken and by what body, to bring about this change in the reduction of size? A. The national committee decided upon a reduction in the size of the clubs. It was decided upon the elimination of membership lists. We decided—and this took place in 1949—not to issue membership books for the time being.

Q. But prior to that time? A. Well, membership books were issued in 1948 and all of the years previous to that. In 1949 we did not issue membership books. In 1950 we did not issue membership books, and in 1951, up until the time that I went to jail in July of 1951 we had not yet issued membership books.

15022 As I said before, all of these measures were taken by us as defensive measures. We felt that we were compelled to do this, that we did it under compulsion, and that we did not wish to take measures of this sort. During all of this existence of the party that is, in the time that I have been a member of the party and during this period that I am speaking about particularly now, we have tried to achieve full legality for the Communist Party of the United States. By full legality I mean the rights equal to all other political parties in the United States. We have never quite succeeded at any period in achieving that full legality. The Communist Party of the United States has always been discriminated against to one extent or another in its entire history.

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15038 Q. Are the leaders of the Communist Party subject to and do they recognize the alleged disciplinary power of the Soviet Government? A. I know of no disciplinary power of the Soviet Government over an American communist, and we recognize no such thing.

Q. Do the leaders of the Communist Party consider themselves subject to the alleged disciplinary power of the Communist Party of the Soviet Union? A. The leaders of the Communist Party of the United States?

Q. That is right. A. We recognize no such talk.

Q. Of the Communist International? A. No.

Q. And of the Communist Information Bureau? A. No.

Q. Or any agencies of the Soviet Government or of the Communist Information Bureau or the Communist Party of the Soviet Union or of the Communist International? A. No.

Q. Is there any principle or doctrine of Communism which binds the American Communists to execute the decision of foreign Communist leaders? A. There is
15039 no such principle. I know of no such decisions of foreign Communist leaders that were ever made with intent to be binding on American Communist leaders. And in any case, American Communist leaders are subject

only to the discipline of the American Communist Party, subject only to the policies of the American Communist Party.

Q. And the decisions of the American Communist Party? A. And the decisions of the American Communist Party.

Q. Does the principle of democratic centralism bind all Communists in the United States to execute decisions of the so-called world communist movement? A. No. The principle of democratic centralism is as I described yesterday, and binds American Communists to carry out only those decisions which have been democratically arrived at by the Communist Party of the United States.

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15042 Q. Now I am going to ask you a question which has been asked here by the Petitioner repeatedly. To your knowledge, has the Communist Party ever knowingly deviated from the views and policies of the Government and Communist Party of the Soviet Union?

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15043 The Witness: The central and chief aim, purpose, policy, and the sole purpose of the Communist Party of the United States of America, is never to deviate from the true national interests of the American people. That is the standard by which we operated. That is the straight line that we try to walk, and from which we try not to deviate. If it is true, as it is, that in many instances, particularly in the case of world affairs, that the views of the Communist Party of the United States of America are similar to or identical with views of the Communist Party of the Soviet Union, that only goes to show that there is no difference, no contradiction, between the national interest of the people of the United States or the national interest of the people of the Soviet Union, or, for that matter, of any other people of the world. It is our position that the national interests of all peoples on earth coincide and are identical. And, therefore, it should not be surprising that any organizations or parties of any country that base themselves on the true national interest of the 15044 peoples of their countries should come to have similar or identical views.

Now, the Communist Party of the United States of America is a completely independent, a fully autonomous organization. We formulate all of our own policies without dictation or domination or control by anyone else outside of our country. And we formulate all of those policies on the basis of a scientific approach towards world problems and domestic problems, a scientific approach which consists of the general principles of Marxism-Leninism. But these general principles of Marxism-Leninism do not constitute the program of the Communist Party of the United States of America. They are general, theoretical principles. They are general, scientific principles. But they must be applied in every situation according to time, place, and circumstances. And only that is the program of the Communist Party of the United States of America, which is the result of the application of our understanding of the scientific principles of Marxism-Leninism to the particular concrete conditions in the United States of America and in accordance with the democratic and revolutionary traditions of the United States of America.

In dealing with the scientific approach, it is not 15045 surprising that adherents of a certain science, as very often happens in the field of physical sciences, may, independently, simultaneously in various parts of the world, come to the same scientific conclusions, and that is so because science is universal. Science knows no national boundaries. The famous apple of Newton drops at the same rate of speed to the ground in the Soviet Union as it does in the United States of America.

The Communist Party of the United States of America has not always—well, let me put it this way: The views, policies of the Communist Party of the United States of America are not in many respects similar or identical to

the views and policies of the Communist Party of the Soviet Union for the very simple reason that different situations exist in two countries. In the United States of America we have capitalism in power, and the Communist Party of the United States of America has developed a program for struggle against capitalism and for socialism. In the Soviet Union you have socialism already in power, and capitalism has been abolished. The problems in this respect are very different, especially with respect to domestic affairs. For example, the Communist Party of the United States has a program and policy with respect to the Taft-Hartley Law. I don't know whether the Communist Party of the Soviet Union has a program with respect to the Taft-Hartley in that country. We stand for the repeal of the Taft-Hartley
Law. The Soviet Union to my knowledge has no
15046 position on the Taft-Hartley law in their country.
They long ago did away with the situation where Taft-Hartley laws were possible.

Now, in saying this, I wish also to say that the Communist Party of the United States has often agreed with the views and positions of the Soviet Union on peace. And again, this has been because of the independent analysis and independent decisions of the Communist Party of the United States, entirely formulated by itself and not as a result of any foreign domination or control. And we have agreed with these policies of the Soviet Union on peace because we have believed them to be peaceful policies, and we have believed them to be policies which are in the interest of the American people, applying our own standard, and our standard is that we are devoting all of our efforts to the cause of peace, to the cause of preventing a third world war.

We apply that yardstick to any views or positions put forward by the Soviet Union on the issue of peace and world affairs. And if we have, as we have, agreed with such views of the Soviet Union, it is because we believe that they are views in the interest of peace and therefore in the interest of the American people.

I wish to state, not to repeat at length what I
15047 have already testified and on previous days, that it is our view, because the Soviet Union is a socialist country, because it is a country where capitalism and production for profits have been abolished, that there are no forces in the Soviet Union that have any interests in conducting aggressive wars against the peoples of other lands or against other nations. And, therefore, it is but natural that in a country with such an economic and political structure as in the Soviet Union, namely a socialist one, that such a country can only be interested in peace and is opposed to wars of aggression. It is therefore not surprising that we should be in agreement with such peace views.

Furthermore, we are a working class party. And just as in the United States of America the Communist Party of the United States of America always takes the side of the workers against the capitalists in the conflicts that take place daily and the struggles that take place daily between those two classes, so too on an international scale, the Communist Party of the United States takes its side on the side of labor and against capital.

To conclude on this, I wish again to emphasize what I said in the beginning, that the sole determinant of the views, the programs and the policies of the Communist Party of the United States is our understanding of, "Will it be in the interest of the majority of the American People?" That is how we judge all events that take place in the world.

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15048 Q. With respect to the question of deviation, have there been times when the Communist Party of the United States has taken a position before the Communist Party of the Soviet Union has taken a similar position? A. Yes, many times. And we take a position many times on things that, to my knowledge, the Soviet Union has never taken a position on.

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15049 Q. Is it a part of the teachings of the Communist Party that the Government of the United States is to be overthrown by force or violence? A. It is not.

Q. Does the Communist Party of the United States have any position with reference to the role of force and violence in the process of social change? I will withdraw that question and ask instead first: What meaning does the term historic mission of the working class as used in the preamble of the constitution mean to you and your associates in the Communist Party?

Mr. Abt: Does the witness have the constitution before him?

The Witness: I have.

The meaning of this term, the historic mission of the working class to us Communists, the leadership of the Communist Party of the United States, is the eventual establishment of socialism in the United States. We mean by this the following methods and means by which socialism is to be established in the country. The Communist Party of the United States of America advocates the peaceful and constitutional road to socialism. The communist party of the United States of America believes that the Constitution of the United States and its bill of rights is an instrument that is 15050 capable of being used by a majority of the people of the United States led by the working class in the achievement, ultimately, of socialism. There have been at various times Communists who have not understood, or have not agreed with this interpretation of the constitution. The National Committee of the Communist Party of the United States believes that such Communists are wrong. And we base ourselves on the American history, in particularly the controversy that went on in the ranks of the abolitionists prior to the Civil War. At that time there were two factions among the abolitionists, one of which said that the constitution of the United States was a slave document, and, therefore, that all those opposed to slavery should have nothing to do with the United States constitution, should not

participate in elections, and that the north should secede from the United States and leave the South to itself. There was another group of abolitionists led by Frederick Douglas which said that although the constitution of the United States at that time had made certain compromises with slavery, that, nevertheless, in the main, the constitution was a revolutionary document, was a profoundly democratic document, was a democratic instrument, and was very capable of being used by the people of the United States for the purpose of abolishing chattel slavery. We take that lesson for the present time in the United States, that the constitution which was born in revolution, which at
15051 that time was the most democratic document in the
world, to which was added the bill of rights as a result of a struggle by the people, to which was added the 13th, 14th, and 15th Amendments as a result of the revolutionary struggle by the American people in the Civil War, that this constitution is a framework and presents, offers, channels, democratic channels, which, if they remain open, can be used by the American people led by the working class to establish socialism eventually.

Our position is that the issue before the American people now, or in the foreseeable future is not the issue of socialism or capitalism. It is our position that the issue before the American people is peace or war, democracy or fascism. Therefore, we lend all of our efforts and our resources towards the organization of the broadest possible coalition of class forces in the United States and of parties and organizations representing those class forces, against those who are responsible for the danger of war and aggression, against those who are responsible for the danger of fascism in our country, namely against the big trusts, monopolies, the few bankers, financiers and industrialists, who own and operate the industries, economy and the government of our country.

When I say we stand for the broadest possible coalition of class forces and the organizations that represent those

class forces, we mean all of those forces in America
15052 who are exploited by the big monopolies of this country, and we mean in the first place the working class, we mean the farmers, we mean the Negro people, and we mean also the middle-classes, professional classes, small and independent businessmen—all of these are oppressed and exploited by the big monopolies and leave conflicting interests with the big monopolies. We stand for the uniting of all those forces, regardless of their political beliefs, regardless of their agreement or disagreement with Communism which is not the issue today, as the only way to prevent war and fascism. And to secure the victory of this coalition that I speak of over the monopolies, we advocate the method of participation in the election process, not only once every four years, but through the building up of the economic and political organizations of the people in the course of the periods in between elections every four years, in the course of their struggles for the improvement of their economic welfare, for the preservation and extension of democratic rights, for equal rights for the Negro people and for peace.

We favor participation in the election process and to bring about the election of a government based upon this coalition of which I have been speaking, and which we also advocate shall take the form of a new people's party, an anti-monopoly party, a party that stands for peace,
15053 for democracy and for economic welfare.

Now, such a government in our view, when elected, will not be elected on a Communist Party platform, will not be a party or a coalition or government that favors socialism. It will be a government that stands for peace, democracy, and the economic well-being of the majority of the people. It will be a government that is opposed to the monopolies, and a government whose aim will be to restrict and to curb those monopolies in their warfare against the interests of the overwhelming bulk of the American people. But it is then our view, as leaders of the Communist Party that once such an anti-monopoly government is elected that the monopolists in this country will not take that lying down and will not gracefully move over and accede to the wishes of the majority of the electorate.

By Mr. Marcantonio:

Q. Now, Mr. Gates, in answer to my question, is it a part of the teaching of the Communist Party that the government of the United States should be overthrown by force and violence, you answered no. Now I ask you this question: Does the Communist Party of the United States have any position with reference to the role of force and violence in the process of social change? A. Well, this is what I was—

Q. I know you were, and I wanted to interrupt you
15054 there so as to put that question in its proper place.

A. Basing ourselves upon past history, particularly upon the lessons of the American Civil War, and also upon the lessons of the Spanish Civil War of 1936 to 1938, and basing ourselves also upon the long, bloody history of the monopolies in this country, such as the violent thrusts against the workers, in the big trustified industries, it is the position of the Communist Party that the monopolists, the rich, the propertied, will resort to any means to preserve their power, and to preserve their profits, including the means of violence, to thwart the will of the American people, to prevent that will from being executed, or, failing this and such an anti-monopoly government being elected, as I said, to then use violence to bring about the overthrow of such a people's government.

Now, I said that we based this understanding upon American history. The Civil War—that was a war in which the people did elect a people's president, Abraham Lincoln, and this represented a big change in political power in the United States, transferred the political power from the slave owners to the young and growing capitalist class in the north. And the program of the Lincoln Government when it was elected in 1860, or platform of the Republican Party, was not at that time a revolutionary platform. The platform of the Republican Party in 1860 was 15055 against the extension of slavery to the territories and to other states from the ones in which they were then operating. The Republican platform at that time did not include the revolutionary provision of the abolition of chattel slavery which the Abolitionists were very much in favor of. At that time, the abolitionists, including the Communists of that day, were bitterly critical of the Republican Party and Abraham Lincoln for not being in favor of the abolition of slavery in 1860 although nevertheless they supported Abraham Lincoln, despite this criticism. Then what happened, as everybody knows, the armed rebellion of the slave owners—

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15061 The Witness: Well, I was interrupted at the very moment when I was coming to the force and violence. That is that force and violence did take place in the Civil War and it was on the part of the slave owners against the legally elected government of the United States. That is the first important lesson for us American Communists in the position that we put forward now with respect to what road the American people should take towards socialism. The second lesson of that Civil War was that this Lincoln government which had been elected on a reform basis, and not on a revolutionary basis, and which was opposed to the revolutionary method in 1860, prior to the Civil War, was forced by historic necessity, by military necessity, in the course of the Civil War, to take revolutionary measures and to become a revolutionary government through the emancipation proclamation and the abolition of chattel slavery in the United States of America. Now, our Communist Party applies that to the present period in this way: That, as I said, we favor the election of this peace government which is not a Communist Government, as Mr. Paisley stated, and I did not testify that, I said 15062 exactly the opposite—that it was not a government dedicated to socialism but was a coalition government with a program, a limited program, of opposition to fascism and to war, and it was for curbing the monopolies and not yet for abolishing capitalism, that we favored the election of such a government just as such a government was elected in the Civil War by the people, on a reform program and not on a revolutionary program.

But it is then the position of our party that to that extent that this new peace government and anti-monopoly government that has just been elected by the American people proceeds to put into effect these measures against the monopolies to curb the unrestricted profiteering of these monopolies in the interest of the people, to curb their pro-war and pro-fascist activities, that these monopolists will begin to resist and to resist with all means up to and including violence, just as the overthrown slave owners did in the Civil War.

But it will be violence by these monopolists against the legally elected government of the United States of America. And it is the position of the Communist Party with respect to this that we would warn this new government that unless it took measures to anticipate this possible violence on the part of the monopolists that these monopolists would organize an armed rebellion against the government just as
has happened so many times in history, it happened
15063 in our Civil War, it happened in the Spanish Civil
War as I have already testified.

The measures that we would advocate in warning this government would be that they should remove in the armed forces, from the leadership of all the armed forces, all of those generals and admirals and so on who are sympathetic to and agents of the monopolists, and to replace them with officers who are sympathetic to the cause of the common people.

And the same thing would go for the police force. So that it would not be possible for these monopolists to use the positions that they have in the armed forces, that they have built up over so many decades, against a legally elected government of the United States. We said that in the Civil War, in the United States, that most of the regular army of the United States Government went over to the side of the slave owners, and that in the Civil War in Spain most of the regular army went over to the side of Franco and Hitler and Mussolini, and against the legally elected government.

It is because the Spanish people's government didn't take the advice of the Spanish Communist Party, didn't clean the General Francos out of the Spanish army that he was successful in organizing a rebellion against this legally elected government. And it was our position that just as our
15064 Civil War reform government of Lincoln was forced
by necessity, and finally military necessity, to take revolutionary measures, just so this peace government which we advocate the election of will be forced by necessity to take revolutionary measures in order to prevent the monopolists from trying to overthrow this peacefully elected government by force and violence.

Now, we do not predict, nor do we try to spell out in every detail the course of events with respect to the actual establishment of socialism in the United States. No one can do that, and we don't try to blueprint that. All we can do is to lay down the path that we want the American people to follow. The path that we think is the most peaceful path. The path that we think will be at the least cost to the overwhelming majority of the American people. And that path is the one that I have outlined, the path of taking the peaceful and the constitutional road towards election of a peace government, and then urging that peace government to take additional measures to thwart any attempt at armed rebellion against a legally elected government by the monopolists of this country.

Now, we state with respect to this, that this is in no way contradictory to Marxist-Leninist principles. We state that this is in no way contradictory to the principle of dictatorship of the proletariat according to which the bour-

15065 geoise state must be shattered to make way for the new worker state.

It is no contradiction because in the course of the struggle of this peace government, this legally elected peace government, against the resistance of the monopolies and the attempts of the monopolies to organize an armed rebellion against this government, that the bourgeoise state in the course of this will be shattered in the sense of the principles of the dictatorship of the proletariat. When I say that we will advocate that this government take measures to remove from the leadership of the armed forces these agents of monopoly and replace them with agents of the working class, to place in the leadership of the police forces men who are sympathetic to the people and not to the rich, that is this shattering of the bourgeoise state. It is our position that this can be done peacefully by the legally elected government in the course of events. The only violence that will or can arise will come from the efforts of a small clique, and I do not include, as Mr. Paisley said, among the monopolies and industrialists and financiers of this country the small group whose policies run so counter to the majority of the American people, the small stockholders and small businessmen of our country, and small property owners. On the contrary, it is these small stockholders and small businessmen and small property owners that are fleeced every day of
15066 the year by the monopolies.

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15069 By Mr. Marcantonio:

Q. Mr. Gates, to whom do you owe allegiance? A. I owe allegiance to the United States of America.

Q. Have you ever taken the oath of allegiance? A. I have, many times.

Q. Will you state the occasions on which you took the oath of allegiance? A. As I have testified before, I took the oath of allegiance as a child and in school, when I was in the Color Guard at this public school that I testified to; and, of course, throughout my school career.

There was one specific instance in which I led a meeting of functionaries of the Communist Party of New York City in an oath of allegiance to the flag of the United States of America.

Q. I didn't hear the last sentence, after the words "functionaries of the Communist Party of New York City." What was that? A. I led a meeting of functionaries of the
15070 Communist Party of New York City in an oath of allegiance to the flag of the United States of America.

Q. You mean in taking the oath of allegiance? A. Yes. Well, I will describe it. This was in December of 1941, immediately after I had been sworn into the armed forces of the United States of America. I was sworn in on December 17, and the Army then gave me three or four days' leave to take care of my affairs before I would actually be inducted. And in that three or four-day period, I think it was two or three days after, I don't remember exactly the date, after December 17, a meeting took place in New York of some 2500 leaders of the Communist Party in New York City. I think it was in St. Nicholas Arena of New York City. I was introduced at that meeting as having just become a member of the United States Army. I then asked the audience to stand and to have them repeat after me, and I faced the flag, the American flag that was on the platform. I saluted the flag, and I said—and they repeated after me—"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands; one nation, indivisible, with liberty and justice for all."

And, of course, in the United States Army, I have, of course, taken various oaths as required by the regu-
15071 lations of the Army.

Q. At the times you took this oath, did you have any mental reservations? A. I had no mental reservations whatsoever. Moreover, that oath of allegiance meant much more to me as a leader of the Communist Party than it did when I was a school child taking an oath of allegiance, the same oath.

Q. Now, at this time, now, do you have any mental reservations with reference to the oath of allegiance? A. None at all.

Q. What does the oath signify to you and your associates in the Communist Party? A. It signifies that we owe our primary allegiance to the people of the United States of America. We understand by the flag of the United States of America, a flag that was born in revolution, a flag that became known to the entire world as a flag of freedom, a flag that was carried by the American people in the Revolutionary and Civil War, and to us that flag represents a flag of freedom.

There have been at various times in the history of the Communist Party of the United States, Communists who have felt that the American flag had become not a flag of freedom, but a flag of oppression. These American Communists felt this way because of the fact that on various occasions the monopolists who rule our country had made use of the American flag to cover up their own greed and selfishness, and to have the flag follow the dollar, so
15072 to speak, into other lands; and the position of the leadership of the Communist Party of the United States at the present time is that those American Communists who felt that way were absolutely wrong; that the American flag belongs to the American people, and notwithstanding the fact that there are some individuals in our country who do make use of the false cloak of patriotism to mask their own loyalty and allegiance to the American dollar, that we should not surrender this glorious flag and its wonderful traditions to these traducers and betrayers of that wonderful and glorious tradition of our American flag and the American people.

We further understood by this oath of allegiance and the phrase, "one Nation, indivisible," that we do not have in our country at the present time one nation indivisible; that this is a goal still to be achieved by the American people. And we Communists work for the achievement of that goal.

Our position is that we do not have one nation indivisible, because our nation is divided into rich and poor, into mutually antagonistic classes. We do not have one nation indivisible, because a small white ruling minority oppresses the Negro people of our country. It is our position that when socialism is established in the United States of America, and classes are abolished, and all people will work for a living, and when the oppression of the Negro people is
15073 wiped out and we have a free association of peoples on the basis of full equality in the United States, that then we will truly have "one nation, indivisible."

Furthermore, we understood by the following phrases of the oath of allegiance, the phrase "liberty and justice for all," that there does not exist at the present time in our country "liberty and justice for all;" that there is one justice in our country for the rich, and another justice for the poor; that there is one law for the white people, and another law for the Negro people; that there is one law for all Americans, and another law for the Communists.

It is our stand that when, ultimately, socialism is established in the United States of America, that we will then truly have "liberty and justice for all," one law for all.

Q. Have you taken an oath of allegiance to any nation other than the United States? A. Never.

Q. Do you owe allegiance to any nation other than the United States? A. No.

Q. Have you engaged in any activities which bear on the matter of your allegiance? A. I consider that all of my activities as a Communist for the past 20 years, and everything I have said and done in the course of those 20 years,
15074 in the two wars in which I have fought, have been in allegiance to the United States of America.

I would defy anyone to find anything in my life, anything in the deeds that I have done, which has ever run contrary to the interests of the people of the United States of America.

Q. What does "patriotism" mean to you and your associates in the Communist Party? A. "Patriotism" means to us a devotion to the best and highest interests of the American people. "Patriotism" does not mean, to us, loyalty to capitalism, and to the minority in our country which rules the capitalist system.

It is our position that the interests of this small capitalist class in our country are contrary to the interests of the majority of the American people, and that true patriotism, therefore, lies in devotion and loyalty to the interests of the majority of the people, the working people, rather than to this small group of industrialists and bankers.

Q. During your membership on the National Committee, did any of the teachings of the Communist Party of the United States deal with the question of patriotism? A. Yes.

Q. And during that period, what did the Communist Party teach with reference to the meaning of "patriotism"? A. We taught that we were in full agreement with the sentiments of Mark Twain, who wrote, in the "Connecticut Yankee," that loyalty to the United States of America does not mean loyalty to outworn institutions. He said that outworn institutions are like rags, like clothing that has become rags, and that loyalty to outworn institutions is like being loyal to rags. He said, rather, it is loyalty to speak out and to oppose any institutions that ever become outworn institutions, and that never serve the people; and that it is disloyal to the people not to speak out loud and clear when anyone has an opinion that such institutions have become inimical to the interests of the American people. 15075

We taught further, in the words of Carl Schurz, who was a Senator from Missouri in the Civil War Days, and who was a member of President Lincoln's Cabinet, the statement of Carl Schurz in contrast to the statement made by Stephen Decatur. Stephen Decatur made the famous historical statement, "Our country, right or wrong." Carl Schurz said, in connection with this statement of Stephen Decatur, "Our country, right or wrong. When right, to be kept right. When wrong, to be set right." And we express full agreement with this statement of Carl Schurz.

It is our position that it is not patriotism to support any and all policies of a particular Administration of the United States Government just because it is the United 15076 States Government. If those policies are wrong, they should be opposed. If they are right, they should be supported. And we have adhered to that position.

Furthermore, it is our position on the issue of patriotism that the failure of the people of Germany to follow the precepts stated by Carl Schurz, that is, the fact that the people of Germany under Hitler did follow the slogan of "My country, right or wrong," that they obeyed Hitler because he was the head of the government, whether they thought he was right or wrong—that this led the German people to disaster, and they betrayed their own interests, to say nothing of the catastrophe that they brought upon mankind.

We say, moreover, that it had been established, and we were in full concurrence, by the Nurnberg conspiracy trial of the Nazi war aggressors, the Nazi war criminals, Goering and Hess and Kuntze, in which the United States Government was an official participant, this Nurnberg tribunal laid down the principle that it was no defense on the part of anyone who was a member of a nation whose government had conducted an aggressive and criminal war, to say that, "Well, they participated in that war because they had to obey the orders of that government." The Nurnberg trial declared the complicity and the guilt of all those who took the position that they were not to blame because they were only carrying out orders.

And we understand from this, also, that if we un- 15077 derstand that a war in which our government or a particular administration might plunge our country, that if that war was an unjust war, that if that war was a criminal war, an aggressive war, that we were duty-bound, in the interests of American patriotism, as well as international law as declared by the Nurnberg tribunal—in which our United States Government participated—that we were duty-bound to oppose such war.

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15083 Q. Are you familiar with the slogan or phrase, "Convert the imperialist war into civil war"? A. I am.

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15084 Q. During your membership on the National Committee, has the Communist Party of the United States ever advanced this slogan? A. It has not, nor has the Communist Party of the United States ever advanced the slogan in any war that the United States has participated in during the life of the Communist Party in our country.

Q. How does the Communist Party of the United States characterize the present Korean War? A. It characterizes it as an unjust and unnecessary war of intervention of Wall Street against the people of Korea.

15085 Q. Has it called for converting the Korean War into civil war? A. Never at any time.

Q. What does it advocate with reference to the Korean War? A. It advocates, has advocated and does advocate, a peaceful settlement of that war on the basis of a just and democratic peace. It advocates a cease fire around the 38th Parallel. It advocates an armistice, to be followed by the withdrawal of all foreign troops from both sides; the peaceful settlement and unification of Korea by the people of Korea themselves, without interference from outside; the return of Formosa to China; the recognition of China by the United States; and the entrance of China, the admission of China, into the United Nations, on the Security Council.

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15123 CROSS EXAMINATION

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By MR. PAISLEY:

Q. Mr. Gates, you testified you were one of the defendants in the case of the United States versus Dennis and others, that you are now serving your sentence of five years, is that right? A. That is correct.

Q. You and the other defendants in that case were convicted of conspiring to teach and advocate the overthrow of the Government by force and violence.

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15124 Q. That in substance was the charge? A. The substance of the charge was merely our thoughts and ideas, that is correct. No overt acts.

Q. Weren't you charged with conspiring to teach and advocate the overthrow of this government by force and violence? A. Yes.

Q. Now, the other defendants in that case were all members of your National Committee, were they not? A. All of the defendants were members of the National Committee, that is right.

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15130 Q. And you say at college you learned that the capitalist system was destined to be superseded by a higher form of society, socialism, and that has actually taken place in one country on the face of the earth, is that correct? A. Yes.

Q. Now, that country, of course, is Russia, Soviet Russia, right? A. It is the Union of Socialist Soviet Republics, yes.

Q. Now, you Communists claim that they have socialism in Russia now? A. Yes.

Q. And that Communism has not yet even been attained there? A. No.

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15137 Q. Now, Mr. Gates, you will admit, will you not, that there is a world Communist movement? A. Well, I won't admit it just like that, in terms that you understand the world Communist movement, or in the terms that the world Communist movement is stated in the allegations of your petition. I don't admit there is any such kind of world Communist movement.

Q. Do you admit that there is a world Communist movement of any kind? A. Yes, I do.

Q. You have written that many times in your own writings in Political Affairs, have you not? A. Of course.

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15156 Q. There is no doubt, Mr. Gates, about your joining the Communist Party in Youngstown in 1933, is there? A. No.

Q. Didn't you tell the Senate Judiciary Committee on May 28, 1948, that you joined the Communist Party in 1941? A. I said nothing of the kind. There is a misprint in that Senate Judiciary Committee meeting. It wasn't the only misprint in that testimony. It is ridiculous.

Q. Had you noticed that before? A. I never noticed it until it was brought to my attention at Foley Square when I testified at Foley Square, and I made the correction at that time, as I am doing again now.

Q. You did see it in the Senate reports? Did you see that answer, 1941? A. When it was brought to my attention at the Foley Square testimony.

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15160 Q. And you left Youngstown in January, 1937, and volunteered as a member of the International Brigade in Spain? A. I volunteered to fight in Spain, yes.

Q. And you had no training as a soldier? A. None whatsoever.

Q. And you say you fired three rounds of ammunition during the time you were there? A. In my period of training, before I went into combat, yes.

Q. Did you fire any ammunition in combat? A. Yes.

Q. Well, that three rounds of ammunition, you meant to restrict that to training, before combat? A. That is what I testified in answer to a question asked me by Miss McHale.

Q. And you became the top ranking officer of all Americans in Spain? A. That is right.

Q. How many Americans were over there? A. Some 3,000 Americans volunteered to fight in Spain.

15161 Q. You were in charge of instruction and training? A. With respect to those Americans. I was in charge of military instruction and training, and I was in charge of political instruction and training in the program of the Spanish Republican Government.

Q. You say the Communist Party in the United States did not send you over there? A. It did not. I volunteered to go over there of my own free will.

Q. But they approved of you going; applauded your going? A. They were very proud of the fact that I went.

Q. And you got your passport in the name of Israel Regenstreif? A. I got my passport in the name that was on my birth certificate, yes, sir.

Q. It did not list Spain as a place to be visited? A. I did not.

Q. Did you swear to this passport? A. I did.

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15162 Q. And you were willing to make a false oath on this passport in order to go over there and fight this rising Fascism in the world? A. I did make some false statements on that passport.

Q. Well, that is why you were doing it, wasn't it? Isn't that what embued you, this desire to fight Fascism? A. I have already testified several times why I went to Spain, and if you want me to I will testify again.

Q. Now, you regard the McCarran Act as a Fascist Act, don't you? A. I certainly do.

Q. Well, wouldn't you give false testimony in this proceeding under the McCarran Act if it would further the fight on Fascism? A. No, I would not, because it is not necessary.

Q. But you did in this other instance? A. What I did in Spain in connection with my going to Spain, I am proud of.

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15167 Q. Weren't you fighting for Communism in Spain? A. No, I wasn't fighting for communism. I was fighting in defense of the Spanish Republican government.

Q. But you admit you were fighting for it in this country? A. Mr. Paisley, everything that I have done, everything that I do in defense of democratic rights, in defense of the economic welfare of the American people, in the defense of peace, is all ultimately in the interests of my ultimate objective of the establishment of socialism; yes.

Q. Isn't socialism a step toward Communism. A. It is the first stage toward Communism.

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15170 Q. There are not many people in this communist group who are quite as well educated in it as you are, are there, Mr. Gates? A. You flatter me.

Q. That is right, isn't it, without flattering you or not? A. So what. What is your point? Get to the point.

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15181 Q. Well, you were Editor of the Daily Worker when you were on the National Committee of the Communist Party and Chairman of its National Legislative Committee, weren't you? A. That is right.

Q. And you say you are still Editor? A. So far as I know.

Q. And you were Editor even after you were made Chairman of the National Review Commission? A. I have been Editor from July 1947 up until the present time.

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15183 Q. Mr. Gates, I show you the Daily Worker for Monday, April 23, 1951, being Petitioner's Exhibit

No. 14. I ask you to look at it. (Document handed to witness.) A. To look at the article, "It Must Be Stopped Now"?

Q. Yes. You were Editor of the Daily Worker at that time, were you? A. Yes.

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Q. Did you approve its publication in the paper? A. Well, as Editor of the paper, I am responsible for everything that appears in the paper. I don't necessarily approve every single line or every article that appears, but I am responsible, as Editor, for everything that appears in the paper, yes.

Q. Did you know that that particular advertisement was going to be there? A. I believe so.

Q. What? A. I believe so.

15184 Q. That was the day that the hearings in this case commenced before this Panel, was it not? A. Well, you are a better judge of that than I am. I don't recall. I will take your word for it.

Q. Did you regard that as a day in infamy, and that this was a fake hearing? A. I certainly do and did.

Q. You did and you do? A. That is correct. I think this is a farce.

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15189 Q. Physically, where are they, do you know? A. Mr. Paisley, if you are looking for stoolpigeon testimony, you ought to apply to J. Edgar Hoover. He is the keeper of the rats.

Q. Do you know where they are? A. If I knew, I wouldn't tell you in a million years.

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15233 Q. Well, they have an organization they call the Cominform, don't they? A. There is an organization that is called the Communist Information Bureau.

Q. And it is a part of this world Communist movement, is it not? A. In the sense that I have outlined, yes.

Q. The Communist International was at one time, was it not? A. The Communist International was an actual organization of the World Communist movement, and we were affiliated at one time.

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15239 Q. Have you ever denounced the Soviet Union in your life? A. Well, I can't recall whether I might have before I joined the Communist movement.

Q. Well, since you joined the Communist movement? A. I certainly have not, because I think in my experience during that period everything that the Soviet Union has done has been for the best interests of its own people and for the best interests of mankind as well.

Q. Not one word denounciatory of the Soviet
15240 Union has ever appeared in the Daily Worker or
Political Affairs, is that right? A. Not that I can
recall, nor do I see why there should be.

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15259 Q. Name this Panel one instance when the Daily Worker or Political Affairs has supported the foreign policy of the United States government when it was in opposition to that of the Soviet Union? Give me one instnce. A. Well, we have supported the foreign policy of the Roosevelt Administration when it was for the friendship and collaboration of the United States and the Soviet Union. This has not been a contradiction to the views of the Soviet Union, I grant you. But why should it be? That was a policy that was in the interests of the American people.

Q. Can you give me one instance of the Daily Worker, either while you were editor or any other time, that has supported this government in opposition to Soviet Union? A. I can't think of any such instance because of the fact

that it is my opinion that the Soviet Union has never put forward policies which were in any way contrary to the interests of the American people, and our sole standard for judgment in this respect is a particular policy of any government, anywhere in the world, in the interests of
15260 the people of the United States of America. If it is,
we support it. If it isn't, we oppose it. That is our standard.

Q. Mr. Gates, would such a paper with such an editorial policy, be permitted if the Government which you espouse would come to power in this country? A. Well, I can only answer that the same way as I already answered it, and that is that when socialism is established in the United States of America there will be no need for the type of criticism that the Daily Worker makes at the present time of the capitalist system in the United States.

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15277-A Q. Is that the same Gus Hall who was convicted with you? A. That is.

Q. He is the one who signed the answer that was filed to this Board, isn't he? A. I believe so.

Q. Well, is there any doubt in your mind about
15278 it? A. No. I just believe so.

Q. You wouldn't dispute that, would you? A. I didn't say I would dispute it.

Q. By the way, where was that answer drafted?

Mr. Abt: I object, Mr. Chairman. That is immaterial, where a legal answer to a petition in this proceeding was drafted.

Mr. Brown: Overruled.

The Witness: It was drafted by Mr. Gus Hall.

By Mr. Paisley:

Q. Did you collaborate in the drafting of the answer? A. I assisted, yes.

Q. Do you subscribe to everything that is stated in there? A. Yes.

Q. Everything that was said about this Board and the McCarran Act? A. Definitely.

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15297 Q. Are you sure that copies of For a Lasting Peace weren't received over here by you Communists before they were published? Before November 10, when the first issue came out? A. We received copies of For a Lasting Peace over here before Lasting Peace was published?

Q. Before it was issued to the public. A. Well, I don't believe in the supernatural, but if you do that may have been possible.

Mr. Brown: That is unnecessary.

The Witness: I can only answer a stupid question in such a way. 15298

Mr. Brown: That is not necessary. You are here to answer the questions. Let's not have any observations or comments.

The Witness: We saw no copies of For a Lasting Peace before For a Lasting Peace was published.

Mr. Brown: The question was before it was issued to the public.

The Witness: That is your version. It is the reporters version, too.

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15311 Q. Has the Daily Worker or Political Affairs, or has any Communist Party leader in the United States ever denounced or criticized the Cominform or Lasting Peace? A. Not to my knowledge.

Q. Well, you would know about it, wouldn't you? A. I have answered not to my knowledge.

Q. Has the Communist Party in the United States or the Daily Worker or Political Affairs ever deviated from the express views and policies of the Cominform? A. Well, I will answer this question again as I have answered it in the past, and that is that we try in the Communist Party, and this is a separate question and a separate answer, and we try also in the Daily Worker, never to deviate from what we consider to be the true national interests of the American people. We judge everything in the world by that standard. And if we have not expressed any disagreement with any views that have been put forward in For a Lasting 15312 Peace, that is because we believe that those views have not been in contradiction to the interests of the American people.

Q. Well, a short answer is that you have not deviated, isn't that right? A. No, that may be a short answer but it wouldn't be a truthful answer on my part.

A. The truthful answer is the answer that I have just given.

Q. Give the Panel any instances of deviation. A. I have answered the question.

Mr. Brown: Are there any instances of deviation, Mr. Gates?

The Witness: I said that deviation—

Mr. Brown: I know, but can you answer my question yes or no?

The Witness: The question is a loaded question.

Mr. Brown: It is not a loaded question.

The Witness: You may not think so, but I think so.

Mr. Brown: Well, I think it isn't, because it obviously is not.

The Witness: After all, I am the one who is on the witness stand and not you.

Mr. Brown: And we are trying to get you to act like a witness, which you have not done. The witness is 15313 here to answer questions and not make observations.

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15318 Q. And you said you did know Eisler. A. I said I first met Eisler, and met him several times afterwards, in 1946.

Q. Did you mean to tell the Panel that it was simply by chance that you met this man Eisler early in 1946, when you returned from the army just because you happened to live a few blocks from each other? Was that what you were trying to tell them? A. That is not what I testified to. What I testified to was that Mr. Eisler sent word to me that he wished to see me, if possible, in order to discuss with me my experiences in Germany while I was in Germany as a member of the United States Army. And I accepted his
15319 invitation, I accepted his invitation and since he lived only a few blocks away I visited him in his home, and we did have such a chat.

Q. And you were a member of the National Committee at that time? A. Yes.

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15320 Q. Did you publish any of his writings in the Daily Worker? A. I can't exactly recall whether we published—you are specifying of the time that I was editor of the Daily Worker?

Q. Yes.

15321 A. As editor I don't recall whether we actually printed articles written by him and signed by him. I know we carried news stories giving accounts of speeches that he had made at various times during this period. But it may have been that on some occasions we also printed articles by him. I am not certain of it.

Q. Where is he now? A. In Germany.

Q. What is he doing? A. He is, I believe, director of public information in the Government of East Germany, the People's Democratic Republic of Germany.

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15325 Q. Is it the custom in the International Communist movement for Communists in one country, when they move to another, to change their membership?

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A. I know of no such general custom. It has some-
15326 times happened. It all depends. If a man comes here
to America and becomes an American citizen and wishes to join the American Communist Party, he is eligible to do so, yes.

Q. Well, did Eisler become a member of the Communist Party of the United States? A. Not to my knowledge.

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Q. Was he a Communist? A. I believe he was a member of the German Communist Party.

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15330 Q. Is the fact that you considered the Soviet Union the leader of the world Communist movement have anything to do with it? A. The fact that we consider the Soviet Union to be the outstanding socialist country of the world, the outstanding force for peace in the world, had a great deal to do with it, yes.

Q. You frequently said that it was the leader of
15331 the world Communist movement, haven't you, Mr.
Gates? A. We said it was the leader of the world Communist movement in the sense that I have explained it, and the outstanding force for peace—

Q. Let me ask a question. A. Let me answer your question first, before you ask another question.

Q. I thought you were through. A. Will the stenographer please read back to me where I was, so I can continue my answer?

(The reporter read from his notes as requested)

The Witness: That is all. I have nothing further to say.

Q. Time and time and time again in your writings in the Daily Worker and Political Affairs, you have referred to the Soviet Union as the leader of the world Communist movement, haven't you? A. I have on several occasions, yes.

Q. Did the Daily Worker, to your knowledge, ever deviate in its views and policies from those of the Soviet Union?

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15332 The Witness: On the Daily Worker we have always tried, to the best of our ability, never to deviate from what we considered on the Daily Worker to be the true national interests of the American people. That is what we try not to deviate from. Our purpose is never to deviate from anything else. That never occurs to us. Now, whether we have agreed with policies that have been put forward by the Soviet Union from time to time, we have agreed with such policies, yes, because we have considered them to be policies, yes, because we have considered them to be policies in the interest of the American people. But the fact that this takes place within our minds and in our actions has nothing to do with the question of do we deviate from the Soviet Union or from policies of the Soviet Union. That is not our approach to the problem. We don't sit down and say well, this is what the Soviet Union says, now we have to make sure that we must not deviate from what the Soviet Union
15333 says. That is not the process that takes place in our minds. That is not the way we think, and that is not the way we formulate our policies. The way we formulate our policies is: Is something in the interests of the American people. If it is, we are for it, if it is against it, we are against it.

By Mr. Paisley:

Q. Then all views and policies of the Soviet Union of which you have any knowledge are in the interests of the American people, right? A. As far as we know, and as far as I have studied them, since they are views and policies which are truly in the interests of their own people, they are also in the interests of our own people.

Q. Has the Daily Worker ever expressed any disagreement with the views and policies of the Soviet Union? A. With the views and policies of the Soviet Union that have had to do with world affairs, particularly to my knowledge we have never expressed any disagreement. On the contrary we have expressed agreement with them because we have felt them to be in the interests of the American people.

Q. And that includes all of those instances in which the views and policies of the Soviet Union are in conflict with those of this government? Right?

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15334 The Witness: I am sorry, you are going to have to give me concrete instances of where there are conflicts, where there have been conflicts between a particular administration in this country and views and policies of the Soviet Union. Then I will answer the question as to what our position was on those concrete bases.

By Mr. Paisley:

Q. I am asking you, do you know of any instance when there was a conflict, in which the Daily Worker took the side of the United States government? A. As I said, we determine what our position is to policies of a particular administration, that is in power in the United States government, on the basis of whether we consider those policies to be in the interest of the majority of the American people or contrary to the interests of the people.

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15355 Q. Did the Communist party have any policy with regard to secrecy of membership?

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The Witness: Our policy is that a member of the Communist Party has full authority to decide for himself as to whether or not he or she wants to keep their membership in the Communist Party secret or not secret, and that if a member of the Communist Party feels that it is necessary to keep his or her membership in the Party secret as a means of protecting him or her against illegal or on unconstitutional victimization or persecution, our policy is that they have a perfect right to do so.

By **Mr. Paisley**:

Q. You say that these measures that you took to meet the so-called repressive measures were not voluntary, that they were forced upon you by those people who rule this country, and government? A. Yes.

15356 A. That is correct.

Q. And it was not your choice? A. That is correct.

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15375 Q. Isn't it a fact that the Soviet Union is frequently and almost—well, frequently—in literature
15376 that you put out referred to as the fatherland of the world proletariat? A. I don't remember and I don't believe there has been any literature that the Communist Party of the United States has put out in the time that I have been a member of the National Committee that has stated that, although I will say that in previous years there have been occasions when that has been stated, yes.

Q. Well, that has been stated many times, has it not? A. There have been occasions when it has been stated, yes.

Q. You don't repudiate it now, do you? A. I have stated in my testimony here to which country I owe my primary allegiance, the United States of America, and I stand on that testimony.

Q. Do you regard Soviet Russia as the fatherland of the world proletariat or don't you? A. I do not regard the Soviet Union as my country and I do not owe my allegiance to the Soviet Union but to the sovereign power of the majority of the American people.

Q. Will you answer my question? A. I have answered it.

Mr. Brown: You have not answered Mr. Paisley's question, Mr. Witness.

15377 **The Witness**: Well, you and I, it is not the first time you and I have differed, Mr. Brown.

Mr. Brown: You are not going to lecture me, now.

The Witness: Well, don't lecture me. I have answered it.

Mr. Brown: You have not answered the question.

Mr. Abt: We submit that the question has been answered, Mr. Chairman.

Mr. Brown: Very well, the record will so show, and the record will likewise show that the question was not answered.

The Witness: I am content to rest on the record.

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15384 Q. Don't you know as a fact that Earl Browder takes the position that the entire national leadership of Communism had knowledge of, consent and support of all of his policies up to 1945? A. That is Browder's position, yes.

Q. And he stated that in a series of articles answering Gil Green's attack upon him, did he not? A. He stated that in a series of articles that he wrote subsequent to his expulsion from the Communist Party of the United States of America.

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Q. Did he not say during the 15 years of the Browder leadership of the Communist Party USA all major policies put into effect had the previous knowledge, consent and active support of the decisive international Communist leadership which thereby fully shared responsibility for those policies, including those of 1944 later challenged? Did he not make that statement?

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15385 The Witness: Browder wrote those statements or that statement and these articles that he wrote subsequent to his expulsion from the Communist Party of the United States, and I have expressly denied them in a speech that I made to the 15th National Convention of the Communist Party in 1950.

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15394 The Witness: First of all the reference by the question to why did Stalin have over here Communist International representatives, I deny categorically that Stalin ever had over here Communist International representatives, and I have no knowledge of such.

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15429 **Herbert Aptheker** called as a witness by the respondent herein, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

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By MR. MARCANTONIO:

15430 Q. Will you state your formal education? A. Well, I graduated from the public and high schools in New York, and received a Bachelor of Science at Columbia, a Master of Arts at Columbia, and a Doctor of Philosophy at Columbia.

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15431 Q. In what field did you obtain your Ph.D. degree? A. The major was American History; the minor was British History.

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15438 Q. What is your present occupation? A. I am continuing as an editor of Masses and Main Stream.

Q. Have you any other occupation? A. Well, I serve also as managing editor, at the moment, of Political Affairs.

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Q. Have you published any books, other than the ones you have already mentioned? A. Yes, I have.

Q. What books, and when were they published? A. In terms of books published, that is, written by me and published by others, there are, in addition to those
15439 mentioned, a book called Essays and the History of
the American Negro, that appeared in 1945. Another book was called "The Negro People in America," which is a critique of Gunnar Myral's "An American Dilemma," that appeared in 1946.

In 1948, the book called "To Be Free;" and in 1951, a two-volume work, "The Documentary History of the Negro People in the United States."

Those were the books which I have written so far.

Q. Now, what pamphlets have you written? By the way, on the book entitled, "To Be Free," on what subject was that written? A. It is in the field of American Negro history.

Q. Now, so that we may have for the record, now, who were the publishers of these books? "Essays and History of the American Negro People"? A. That was published by International Publishers.

Q. And "The Negro People of America"? A. International.

Q. And "To Be Free"? A. International.

Q. And "Documentary History of the Negro People in the United States"? A. That is published by Citadel Press, in New York.

Q. Now, you will tell us what pamphlets of yours have
been published, and at the same time give us the
15440 publishing house? A. The first pamphlet of mine is
called "The Negro in the Civil War." That was
published by International Publishers in 1938.

The next was called "Negro Slave Revolts in the United States, 1526 to 1860," the same publisher, in 1939.

That was followed by "The Negro in the American Revolution," the same publisher, in 1940.

Then appeared "The Negro and the Abolitionist Movement," the same publisher, in 1941.

I believe that the next pamphlet, a rather long one, was "Negro Casualties in the Civil War," which was published by the Associated Publishers here in Washington.

That was followed by "The Negro in the Union Navy," in 1946, I think, also Associated Publishers here in Washington.

There are one or two more. One was called "Why Defend the Rights of Communists?" That was published by New Century Publishers in 1949.

Another pamphlet was called "The Schlesinger Fraud," a critique of his "Vital Center." That was in 1950.

The last pamphlet was called "America's Racist Laws," 1951, published by Masses and Main Stream.

Q. Do you have now any books in preparation for which publications you have already contracted? A. Yes.

Q. What are they? A. One contracted for is "A
15441 History of the People of the United States." That
is due next year, if I can finish it.

Q. Contracted with whom? A. It is contracted with International.

The other is another volume in the "Documentary History of the Negro People in the United States." That is contracted by Citadel.

Another is a book of essays, which is almost done. It is called "After Reconstruction," and it is contracted for with International Publishers.

There are others scheduled, but not contracted for.

Q. Those are books that you are working on but not contracted for? A. That is right.

Q. On what subjects? A. Well, I am working on a collection of my essays in the field of Marxism-Leninism generally, and in the field of current events, which I have published in various publications.

I also was asked by Dr. DuBois to edit his letters, of which there are over 100,000, and I am actively engaged in that, for publication.

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15442 Q. Now, I am not going to ask you to name all
of your articles, but can you give us an estimate of
the number of articles that have been published in various publications? A. Certainly scores; possibly hundreds: I frankly—I have never counted them. Many and many score, let me answer it that way.

Q. Well, will you tell us the names of the publications in which these articles have appeared, not all, but—A. Some of them?

15443 Q. —some of the highlights. A. I have had articles and reviews in The American Historical Review; in the Political Science Quarterly; in The American Scholar; in The Journal of Negro History; the Journal of Negro Education; in the old New Masses; Political Affairs; Masses and Main Stream; Main Stream; Opportunity, which is published by the National Urban League; Phylon, which is published at Atlanta; Pennsylvania Magazine of History, which is published by thte Historical Society of Pennsylvania; and others.

Q. Have you had anything appear in the American Scholar? A. Yes, sir.

Q. And in Political Affairs? A. Yes. I believe I named that.

Q. Now, what has been the field of these articles, in general? A. Well, in general, they have been history, economics, philosophy, sociology, one or two in psychology.

Q. Any dealing with current events? A. Oh, yes, a great many.

Q. Have you written any articles on Marxist-
15444 Leninist theory? A. Yes, articles specifically devoted to this, many, and most of the articles based upon this science or concept.

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Q. Now, will you tell us some of the places where you have been invited to lecture and on what subjects, and where you have lectured? A. I have lectured at dozens of universities in our country. Shall I name some of the universities?

Q. Yes. A. Well, I have lectured at Columbia University; Brooklyn College; Yale; Harvard; at Boston College; University of North Carolina; Wayne; University of Minnesota; of Michigan; San Francisco City College; North Carolina College for Negroes; Benedict College in South Carolina; Allen University in South Carolina; and more.

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15446 Q. Have you received any scholarly awards; and
if so, what are they? A. I have received some honors
of that nature.

Q. Besides the Guggenheim Fellowship. A. Well, for
example, I received the History award of the Asso-
15447 ciation for the Study of Negro Life and History, in
1940. There have been such occasional awards.

Q. Have you been a teacher? A. Yes, I have been a teacher.

Q. Do you now teach? A. Yes, I do.

Q. Where do you now teach? A. I now teach at the Jefferson School of Social Science in New York City.

Q. What is the Jefferson School of Social Science? A. It is a school of adult education with a generally Marxist-Leninist orientation in terms of its faculty and the direction of its teaching.

Q. How long have you been teaching there? A. Since my return, which would be 1946; since 1946.

Q. What courses do you teach there now?

Well, let me put it this way: What courses have you taught there since 1946? A. I have taught the following: History of the American Negro People; History of the United States; A History of the Americas, which was based on Mr. Foster's Outlined Political History—of course, we use many other books; a course on The Philosophy of History, which is an analysis of current philosophies of history, and of historical materialism. There was also a course which
I teach, of a somewhat advanced nature. It is a
15448 seminar course, on Methods of Writing History and
Methods of Performing Research in History.

I think that covers what I have taught at the school.

Q. Where else have you taught? A. I have also taught at regular Communist Party schools, National Training Schools, State Training Schools.

Q. And what subjects have you taught there? A. A great many; many of those that I have indicated at the Jefferson School, and particular lectures that I have been invited to give before Party schools on certain aspects of Marxism.

Leninism—the theory of revolution, for instance. I have discussed that several times.

Q. Have your writings and teachings been in any particular recognized school of thought? A. Yes. Ever since I have begun writing, the orientation has been Marxist-Leninist, growingly so, I hope.

Q. Do your writings and teachings reflect the principles of Marxism-Leninism? A. Yes.

Q. Have you studied Marxism-Leninism principles and history? A. Yes, I have.

15449 Q. And in what way have you studied the principles and history of Marxism-Leninism? A. Well, I devoted my whole life to that. I am not positive when you say "in what way." I read it, conversed about it, conferred about it, written about it, and lived it. That has been my life.

Q. Well, do you make use of Marxist literature in your work? A. All of the time.

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15480 Q. Did Marx and Engels take any steps to obtain adherents to their principles?

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15481 A. They helped organize Communist leagues, the international workman's association, clubs. They helped organize Communist clubs in this country in 1857. The first Communist club that was founded was called that, in New York City. This was founded by a man who was a friend of Marx, a Marxist, Weydemyer. . . .

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Q. What else was done by Marx and Engels in their relationship to the United States in that period? A. Marx and Engels both had close relationship to the United States throughout their lives. Both wrote for American newspapers. I think I said they corresponded, I said Marx did. Engels did, also, for the New York Tribune. Many of the leading features in the editorial pages of the New

15482 York Tribune in the 1850's were actually written by either Marx or Engels. They also wrote for German language publications in the United States. For example, one of Marx's books, "The 18th Brumaire," first appeared in print in United States. They were, both Marx and Engels, were influential in terms even of the founding of the Republican Party, directly and in terms of Marxists who were here. The Marxists who were here constituted the left wing of the young and virile Republican Party. Marx and Engels were very active, personally and through adherents here in the development of the abolitionist movement. Marx and Engels were very active indeed during the Civil War, and very influential. Let me just briefly indicate that, if I may, in terms of your question.

Marx and Engels were leaders in organizing the European working class and especially the British working class, they were living there, in resisting efforts by the reactionary governments of England and of France, the efforts of those governments to fully support the confederate government. Indeed to the point of open recognition and even war against the United States. The governments were anxious for this on the whole. The working class of England and France resisted this, and indeed said that if England and France went into such a war on the side of the Confederacy it would be unjust because it would favor slavery, and the
15483 working class said that they would not support such
a war. There were great strikes, demonstrations, petitions and so on. The historic fact is that Marx and Engels led in the organization of that, through the International Workingmen's Organization, which by the way the United States Government knew and appreciated. Marx corresponded with Lincoln, Marx with Lincoln, Lincoln with Marx. The ambassador of the U. S. in London personally saw Marx and handed him correspondence from Lincoln, personally expressing gratitude on behalf of the sovereignty of our country. This is another typical example of this type of relationship.

Let me if I may mention one more, and these are by no means exhaustive, just to indicate this. As I said, Marx and Engels devoted their lives to working class activity and trade union activity. It is a fact that the trade union movement here grew very much during and after the Civil War, and Marx was especially interested in that and corresponded with the leading American labor figures and trade union figures, especially William H. Sylvis, who was the founder of the National Labor Union in this country. That was the first national federation of trade unions.

Sylvis, as a matter of fact, was moving close to the ideas of Marxism before his early death in 1869.

Now, they corresponded and they correspond especially as to the nature of trade union activity, and such things as the 8-hour demand in the movement. As a matter
15484 of fact, there is a reference to that even in Capital,
and if I will be permitted to do so, I will just briefly mention it, even in this basic work. It happens to be on page 329. I noted it here where Marx refers to the Civil War in the United States and issues his classical formulation, labor can not emancipate itself in the white skin where in the black it is branded, and then he points to the developments of the trade union movement as I have just done, and he specifically mentions with pride the fact that the national labor union convention in Baltimore, in 1866, had a program similar to that of the International Workingmen's Association, which met the same year in Geneva, both of them coming out for an 8-hour day and so on.

Now, this was a reflection of the actual demands of the working class in both countries, but it was also a reflection of the interests of Marx in the United States and actually working together, and as I repeat, they corresponded with the other until Sylvis' death in 1869.

These are some examples. There are others, throughout the lives of Marx and Engels.

Q. Will you tell us something more about the American Marxists of that period? You told us about Weydemeyer.

Did he become a general later? A. He rose to the rank of
Lieutenant Colonel in the Union Army under Lincoln. He
was stationed in St. Louis with General Fremont.
15485 There were others, Jacoby, Sorge, a man named
Douai, who was a physician, lived in Texas and other
Communists. They called themselves Communists then, a
hundred years ago, lived in this country, organized and
took prominent part in democratic working class movements, including the formation of the Republican Party.

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15491 Q. At the time of the recess, Doctor, we had the
following question. I said in their time, that is
Marx's and Engels', were there any rival theories which
attempted to attract the adherents of the working class,
which purported to be in the interests of the working class,
and what were those rival theories? To save time, if there
were such rival theories, after you tell us what they
15492 were, tell us what the controversy was between
Marxism and these theories.

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A. I would like to mention the names of one or two of the leaders of these movements because they directly impinge on Marxist development. For example, Bakunin, a contemporary of Marx, was an anarchist. Most, also a contemporary, was an anarchist. But Baukunin was a Russian, Most, German. Another is Blanqui, a Frenchman. Another is Sorel, also a Frenchman.

Now, these men appear and reappear in Marxist-Leninist
literature. The men also appear in terms of the biography
of Marx and Engels, that is, they were contemporaries and
they were in conflict, organizationally and ideologi-
15493 cally.

Now, the fact is that Marxism from its beginning denounced concepts of conspiracy, denounced and bitterly fought, and always has bitterly fought, against concepts of anarchism and against concepts of terrorism. This was true in the founding of Marxism. It is one of the ways, in fact, that Marxism was founded. It came into being in opposition to such theories. And its history, throughout in every country, not least in our country, has been history of opposition to these concepts.

In terms of your question as to the fundamental reasons for the argument, what they had at issue, the fundamental point is that Marxism, from its beginnings, as is stated in the Communist Manifesto, the Communist movement, says the Manifesto, is the movement of the vast majority in the interests of the vast majority. From its very beginning it has thought of itself as a democratic mass movement. If it is a democratic mass movement, that means that you have to win the consent of the people. It means, therefore, that it not only can't advocate conspiracy, but it must fight against the concept of conspiracy. It means also from the same point of view that it must be opposed to anarchism and to terrorism, because it is a movement which is grounded in mass persuasion, in winning over the mass of the people, to their point of view.

Now, if it is such a movement, obviously terrorism,
15494 anarchism, conspiracy, are not only not part of
Marxism, but the point I am trying to get the Panel to see if I can, not only that they are not part of it but that Marxism is organically, philosophically, opposed and must be to concepts of conspiracy, and anarchism, terrorism and so on.

If I may just put my finger on one or two very brief citations to give some idea of this, it will take a minute. But as I say, it recurs throughout Marxist-Leninist literature. Let me give one or two examples.

I remarked that Marx wrote for the Tribune. Here is an article which Marx wrote for the New York Tribune November 25, 1851, and he says: "The times of the superstition which attributed revolution to the will of a few agitators have long passed away. Every one knows nowadays that wherever there is a revolutionary convulsion there must be some social want in the background which is prevented by outworn institutions from satisfying itself."

Or to take another example. Here is Engels in a letter dated London, April 23, 1885. He is referring to Blanquism. I have already mentioned Louis Blanqui. Blanquism was the concept of the conspiratorial seizure of power by force. Engels' letter, which is quite typical, refers to Blanquism: "The fantasy of overturning an entire society through the action of a small conspiracy." I have one or two
15495 others. For instance, there is a well known classic in Marxist literature by Lenin which is called "What Is To Be Done." It is written in 1902. One of the main points of "What Is To Be Done" is the expression by Lenin in the time of the Czarist tyranny, where there were movements of terror, the expression by Lenin of the typical, well understood, Marxist opposition to terrorism. In this case in Russia it took the form of what was called Nihilism, and as I say, one of the points of Lenin's book, and especially if anyone wants to look at it, page 52 of this book, takes specific opposition to the ideas of terrorism.

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15505 Q. Give us a contribution to the science of Marxism and Leninism, by Foster, William Z. Foster. A. Here there have been several. Let's see if I can put this very briefly and in a nutshell. I would say that one of the greatest contributions of William Z. Foster was his genius, which is not asserted only by Communists by any means, his genius in terms of trade union organization, particularly industrial organization. William Z. Foster is an historic name in American history, not only or simply because of his leadership in the Communist movement, but, as I am confident any historian would say of any persuasion, in terms of his help in the development of the American trade union movement. Foster, of course, was the great organizer of the great steel strike of 1919. This is one.

I would say that a second great contribution of Foster, specifically in the United States, was his keen principle of continuous resistance to any concept of exceptionalism, which has a particular hold, it still has, in the United States. That is, Foster's insistance upon the universality of Marxism-Leninism, upon its full applicability to the United States, the United States is not exceptional, and that Marxism-Leninism applies here as it does to the rest of the world.

He has a genius of persistence, of consistency, in
15506 this, and his concept of class struggle, that this is
the core of society, reaches tremendous heights in
terms of its devotion and selflessness, and clarity, so that
tactically and theoretically Foster's contributions to Marxism-Leninism have been nothing short of remarkable.

One other instance, again as a footnote, his fight, for instance against Keynesism, a leading theoretician of certain approaches to capitalistic economics, a British economist.

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15515 Q. Does this mean that Marxism-Leninism does
not distinguish between capitalist governments? A.
No, on the contrary.

Q. Does it distinguish? A. Yes.

Q. Will you illustrate that? A. Well, Marxism-Leninism is filled, for instance from the very Communist Manifesto up, with great concern for the development of the rights of the people. May I just indicate, for instance: Lenin writes a letter to the American workers, it was published in pamphlet. One of the main points of his letter is to hail the American people, the American working class, because they have an advanced kind of a democratic government, bourgeois but with great democracy, and he refers to the liberating influence of our American revolution and our civil war. In other words, Marxism is partisan from principle to de-
mocracy, and the greater the rights of the people,
15516 the more Marxism loves it and fights for it and is
devoted to it. So it distinguishes between bourgeoise
governments.

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15537 Q. Now, you have testified concerning these changes in Marxist-Leninist theory as the years have gone by. You have told us of the various changes and given us some illustrations of the various changes.
15538 In teaching Marxism-Leninism do you have occasion to use works which antedate these changes? A. Yes.

Q. Published works? A. Yes.

Q. Well, why do you use these works that antedate these changes and how do you use them? A. They are used to illuminate the changes. For example, that is if something changes and you want to understand the nature of the change, you want to know what was it that changed. You can't just present somebody with something and say, "This is the change." Anybody with a normal amount of curiosity would say, "Well, what was it before so that I can understand it." This is one very simple usage. The other is historic. You want to have some knowledge of the whole Marxist-Leninist development. That is the very simple reason for using that.

Q. Well, can you tell us what use is made by the Communist Party during your period as a teacher in the Communist schools of the 21 conditions of the Communist International? A. Purely historic, purely historic, and that is all they are. To indicate this period, very early period—what is it, about 30 years ago or more than that?—of these conditions
15539 of the International at that time. That is the only use, basically.

Q. And what use has been made and is made by you and other teachers and by members of the Communist Party, leaders, of the Communist Party, of the resolutions of the 6th World Congress of the Communist International? A. They are studied, some elements in them have some applicability, but there has been a 7th—

Q. Seventh what? A. World Congress, and the whole content, the essence of the content of the 6th World Congress is outmoded and is not taught—certainly I never taught it in any Communist school, in any sense very much more than an historic document of the history of the Communist.

Q. What about J. Peters' Manual? A. I never saw that. I never saw J. Peters' Manual personally. I know that I never used it in teaching. I know it has never been used in teaching by me.

Q. Do you know if others use it in the schools? A. Sir?

Q. Do others use it in the schools? A. No, it is never used. I have never seen it. I have never seen it. I have never seen it used.

Q. What about Olgin's "Why Communism"? A. The same is true. I saw that, it is not correct to say I 15540 never saw it. I saw it, although I may have glanced through it. But it most certainly was never used in schools, never used in teaching.

Q. What was the occasion of your seeing it? A. In the course of general studies.

Q. Did you teach from it? A. No.

Q. Did others teach from it? A. No.

Q. Do they teach it? A. Pardon?

Q. Do they teach it? A. No.

Q. What about Foster's book "Toward a Soviet America"? A. That is another rather early book, which, as it happens, I have not personally read, which Mr. Foster, I know, had several times to say was obsolete, and which was not used in teaching.

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15545 Q. Will you mention some of these working class parties besides the one that you have just mentioned that have taken place in the United States? A. In addition to the Workingmen's Party, there was, for example, the Labor Reform Party, of which Wendell Phillips was a leader in the post-Civil War period. There was the Union Labor Party which was led by Henry George, the writer of Progress and Poverty in New York City. There has been the Social Democratic Party, which was formed in the 1890's. This merged with other groups in 1900, as the Socialist

Party, in 1919—the Communist Party. Back in the year 1870 there was a Socialist Labor Party, which later was headed by Daniel DeLeon, 1870. There have been many workingmen's parties, as well, of course, as farmers' parties, and sometimes farmer labor parties as there are still, for instance, in Wisconsin.

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15546 Q. Now, what does the Communist Party teach
are the democratic traditions of Jefferson, Paine,
Lincoln and Frederic Douglass which are carried forward?
A. Essentially the following: It points out that Thomas Jef-
ferson and Thomas Paine were great leaders of the great
democratic revolution. It points out, of course, that Jeffer-
son was the leading author of an immortal manifesto of
revolution, the Declaration of Independence. It points out,
and I have pointed it out in my teaching many, many times
and in my writing, that some of the essential traditions of
Jefferson and Paine, democratic traditions, are, first
15547 of all, the urging of political freedom, the essence
of no taxation without representation, the urging of
the right to national self-determination. Jefferson and
Paine were leaders of the revolution which had as one of
its bases the coming into being of a new nationality, the
American, and the democratic right of that new nationality
to self-determination, to freedom, to freedom from British
monarchial rule. That is the second great democratic tra-
dition.

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15549 The point that we emphasize is a classical example of the force and violence coming from the reactionaries with a mass of the people legally, even within the constitutional limits of the British monarchy, demanding the rights of Englishmen. The crown is the one which uses the force and violence, and the people, finally, after much provocation, take up arms in defense of what? In defense of their lives, and their being and their rights of Englishmen. We emphasize time after time that it is important to observe that the revolutionary demands of separation from England does not come in until July, 1776, and the battle of Lexington is fought in April 1775. In other words, it does not come except as objective conditions, and the fact that the King has sent soldiers and has outlawed these people and said if we catch Jefferson we will hang him, it doesn't come until there is no alternative, just the self-defense, this organization of resistance. This we point to as one of the contributions of Jefferson.

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15637 Q. Now, as a Marxist-Leninist scholar, will you tell us how Marxists understand Lenin's reference to aesopian language? A. Yes.

Q. Will you tell us, please? A. It occurs in a footnote, I think, in the very beginning of Imperialism, as I recall.

Q. It is in evidence. I will show you the exhibit.

Mr. Abt: Exhibit 140. (Document handed witness)

The Witness: Yes, it is right at the beginning.

By Mr. Marcantonio:

Q. Go ahead. A. Marxist-Leninists understand it in the
way in which it is printed here, which seems to be clear to me,
and that is this way: Not in terms of deception, just
15638 as Aesop himself, from which this derived, did not
write in terms of deception. In his stories he was
not trying to fool anybody, he was trying rather to illuminate by the use of allegory. That is the fundamental point, to illuminate, not to confuse and not to distort but to light up.

Now, in terms of the use of this under czarist tyranny and under censorship only, and in such cases even there, and as it must be, the use, I think, specifically—For example, Lenin cites Japanese imperialism instead of citing Russian imperialism.

I think, as a matter of fact, that is the specific and only usage that he makes, which is what he is talking about.

Now, is there any distortion in this, any hiding? He is analyzing imperialism. There is the czarist tyranny. If he says Russian it will not be allowed, you cannot distribute it, you cannot get your message at all. If he says Japanese under such conditions, the analysis of imperialism is in no way hidden or distorted.

In other words, there is no substantive deception, there is no deception at all in this sense. This is what the aesopian means.

It is a means of getting through so that you can illuminate and get your message to the people notwithstanding
15639 even czarist tyrannical censorship. Not to keep the people from getting your message, or some sort of double talk, or see that you missinform them and they don't know what you are talking about—no. It is the contrary. It is to get to them and tell them what you are talking about despite this obstacle placed by the czar.

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15646 Q. How does Marxism-Leninism define imperialism? A. Marxism-Leninism puts its definition very briefly right on the title of this exhibit (Indicating) Lenin called Imperialism, in his classical work, the subtitle, the highest stage of capitalism. That is, we see it as the moribund stage, the stage where it is on its way out, the last stage. That is part of our definition.

We see imperialism in terms of our definition as the time of monopoly capitalism, this is central to our definition, monopoly capitalism. We define imperialism, then, in this way: A social order is imperialist when its basic economy, its fundamental means of production, its industry and so on, is controlled, monopolistically, by a handful.
15647 That is number one.

Number two, when the monopolistic control of industry merges with the financial control of the same industrial monopolists, that is, a heightening of the oligarchy, so that the financiers are the center of control. Marxism-Leninism also defines imperialism in terms of this stage of monopoly capitalism where the territory of the world is already completely divided, it is already parceled out.

This is characteristic of the era of imperialism, characteristic also of imperialism in terms of the definition is the glaring fact and the glaring necessity for the imperialists, of the exportation of capital, especially the exportation of financial capital, that is, of investments overseas.

Fundamental also to our concept of imperialism is following from this its aggressive expansionistic, fundamentally war-like nature in terms of getting colonies held by others, taking them, for power, for investment, for strategic materials.

This is the essence of the definition of imperialism, added to which ideologically are such things as typical reflections of racism and chauvanism, in imperialism.

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15668 Q. Was there ever a period when the Communists of the United States ceased to characterize the United States Government as imperialist? A. No.

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15669-A Q. Have any non-communists, Americans, taken a position on the relation of American imperialists, and the danger of war?

Mr. Paisley: I object to that. Many people might take the same view that the Communist Party does.

Mr. Brown: Objection sustained.

Mr. Abt: May I ask for the record, Mr. Chairman, because this question came up as the Panel will recall, during the cross-examination of Dr. Mosely, when we attempted to bring out the same facts, that is to say, that non-Communist Americans took the same position on one subject matter or another, one policy or another, as the Communist Party, and a similar objection was made by the Petitioner at that time. After lengthy argument, the Panel sustained the objection of the Petitioner at that time. Do I understand the Panel is making the same ruling at this time in our affirmative case and for the reasons indicated then that it did in connection with our cross-examination?

Mr. Brown: Yes, sir.

By Mr. Marcantonio:

Q. Have non-Communist Americans taken a position on other aspects of American imperialism similar to that position taken by the Communists of the United States?

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15670 Mr. Paisley: Same objection.

Mr. Brown: Sustained.

Mr. Abt: Mr. Chairman, I think in view of the Chair's ruling we will eliminate any further questions along that line.

Mr. Brown: Very well.

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15699 **Elizabeth Gurley Flynn** was called as a witness, and having been first duly sworn, was examined and testified as follows:

Direct Examination

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By Mr. Marcantonio:

15750 Q. Are you now a member of the National Committee of the Communist Party? A. I am.

Q. When were you first named to that post? 15751 A. I was elected to that post in the 1938 convention of the Communist Party.

Q. Have you been a National Committee member continuously since that time? A. I have.

Q. Will you state the times when you were re-elected? A. I was re-elected at every convention of the Communist party where elections were held. I think there was one or two conventions that were emergency conventions that we didn't hold elections. But whenever elections were held, that would probably have been 1940, 1942, '44, '46, '48 and '50.

Q. Were you also a member of the National Committee of the Communist Political Association? A. We didn't call it National Committee.

Q. National Board. A. During that period it was National Board, I think, or there was some title of vice president that went along with the change, something like that.

Q. But you were a member of the National Board? A. Yes, whatever the governing body was, I was a member of it. I have been uninterruptedly a member of the governing body of the Communist Party since 1938.

15752 Q. Have you been a member of the National Board of the Communist Party? A. Yes, I have been.

Q. During what period? A. It was then called the Political Bureau, and I was elected to it in 1941, when Earl Browder went to Atlanta. I replaced him on the Political Bureau. Subsequently I was re-elected up to and including 1946. Then there was an interim period when I was not a member of the Board, and was re-elected to the National Committee which replaced the Board in 1948.

Q. What other positions have you held in the Communist Party? A. I have also been Chairman of the Women's Commission of the Communist Party since 1945, and Chairman of the Defense Commission of the Communist Party since 1948.

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15756 Q. Have you ever been a candidate for public office? A. Yes, I ran for Congress at large here in New York in the year 1942.

Q. On what ticket? A. On the Communist Party ticket.

15757 Q. Did you campaign? A. I campaigned very actively and energetically. Q. What was your platform? A. It was win the war. I made a special appeal for the votes of women, that there should be provision made for child care facilities for women workers. I particularly campaigned on that, because it was a burning need of the women workers in the war production industries.

Also for price control, and for the popular issue which particularly concerned women as voters, and also naturally appealing to the men as voters as well. It was a win the war year, and it was a year in which the Communist Party was identified with the struggle against fascism in every way.

Q. How many votes did you receive? A. I received about 50,000 votes.

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15761 Q. Have you ever been abroad? A. Yes, I have been abroad three times. That is abroad in the sense of going to Europe, I mean.

Q. Yes. A. Because I had been to Canada quite a number of times.

Q. Other than Canada. A. Other than Canada, yes.

Q. Will you tell us the years that you went abroad? A. The years 1945, 1949 and 1950.

Q. Did you obtain passports for these trips? A. Yes, I obtained a passport in 1945, which I renewed in 1949 and then another passport because the first one had expired in 1950.

Q. Under what name did you obtain these passports? A. Under my own name, Elizabeth Gurley Flynn.

Q. In your applications did you advise the State Department of the countries you intended to visit? A. Yes.

Q. Did you advise them truthfully? A. I did.

Q. What was the occasion for your 1945 trip? A. In 1945, I was one of a delegation, I think about 12 or 13 women, who went to a women's congress for peace in Paris.
15762 It was called by a number of women of European countries who had been in concentration camps and prisons and who issued this call, the largest number of whom were French women. A nonpartisan delegation was organized here, representing various organizations, and I went as a representative of the Communist Party on that delegation.

Q. What was the name of that organization? A. The organization that was formed there at this Congress of Women was the Women's International Democratic Federation. It was set up at that convention and conference and has continued to exist to the present time.

Q. Will you give us the name of some of the other members of the American delegation? A. Yes. Mrs. Muriel Draper, Dr. Jean Wellfish, Mrs. Gifford Pinchot.

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The Witness: Dr. Charlotte Hawkins Brown, Miss Thelma Dale, Mrs. Jeanette Turner. There was a young newspaper woman whose name I don't remember. Mrs. Vivian Mason, and then a WAC in the Army joined us in Paris who represented the CIO auxiliaries from Los Angeles.

15763 By Mr. Marcantonio:

Q. Was Mrs. Frederick March on that delegation? A. Yes.

Q. And Dr. Beryl Parker? A. And Dr. Beryl Parker, 13 in all.

Q. Henrietta Buckmaster, the writer? A. Yes.

Q. Dr. Charlotte Hawkins Brown? A. Yes, I mentioned her, educator from the South.

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15765 Q. How long did you remain abroad that time? A. We were gone about three weeks, maybe a little longer, because it took a long time to come back.

Q. What country did you visit other than France? A. On the way over we stopped in England overnight or from Saturday night to Monday morning. That is the only country that I visited.

Q. Did you attend a convention of the British
15766 Communist Party there? A. Yes.

Q. And how did you happen to attend it? A. It was by accident. I called up Mrs. Pollitt, the wife of the General Secretary of the Party, and she told me that there was a Party Congress going on. So I asked the other delegates if they would like to come with me and some of them said they would and some preferred to see Westminster Abbey, so we took those who wished to go to the Congress, and we were guest visitors there for Sunday afternoon and part of Sunday evening.

Q. So that your capacity at that convention was that of what—a visitor? A. A visitor, yes.

Q. Did you see John Gates there? A. Yes, I did.

Q. Under what circumstances did you see him? A. He apparently was sitting in the gallery and he sent me down a note, "For heaven's sake, don't leave until I see you." So I waited for him in the lobby, and I took him with me to our hotel, the Ravener, I think it was, where we were meeting with a group of the British women who were also going to the convention, and he stayed for a while at the meeting of the American and British women who
15767 were assembled there.

Q. And then he left? A. Yes. He was quite embarrassed to be the only man among all this group of women. We were discussing all women's problems, so after he had asked a lot of questions about family and friends, and what is going on in the United States, he left.

Q. In France, did you meet any leaders of the Communist Party? A. Yes, I did. I think I met the top leaders of the Communist Party and quite a number of the women leaders of the Communist Party, as well.

Q. Did you meet Duclos? A. Yes. Andre Marty, Thorez and his wife, Jeanette Vermersch. She was involved in the Congress. I met quite a number of the French women who were members of the Constituent Assembly. In fact, they took us as their guests.

Q. The constituent assembly of the French Republic? A. Yes, they had not set up the final government yet. It was a temporary government.

Q. What was the occasion of your meeting these Communist leaders? A. There was a very large reception given

for the entire group of delegates to the Women's International Democratic Federation by the French dele-
15768 gation, and I met all three of them at this reception.

Andre Marty spoke English very well, and so I had a good deal of conversation with him. He introduced me to Duclos and Thorez, and I had short conversations with them because naturally other people wanted to talk to them.

Q. You say you did have a conversation with Duclos? A. Yes, I did.

Q. What was said, do you recall? A. As well as I recall, he asked me, "How is Browder's Utopia getting along in America." I said, "It is not doing so very well right now." He asked me how things were in our country, and I told him we had reconstituted our party and that our party was back on its sea legs again, and that we appreciated very much the contribution which he had made to our discussion. He looked a little surprised, and he said, "I didn't write it for you; I wrote it for our French party—"

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15769 The Witness: It was a very short conversation
and he said, "I wrote it for our French party because they were in danger of doing the same thing—of coming up out of the resistance movement, and many comrades advocated that we should not reconstitute the Communist Party of France, but we should be a part of the United Popular Front Government. It was necessary for us to carry on a very strong polemic, and we used you as an example." I made an appointment to meet him at a later date, but he had to go away to speak some place, and I did not see him on that trip again.

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15770 Q. What was the occasion for your 1949 trip? A.
In 1949, I went over to attend a birthday party, the 80th birthday party of Marcel Cachin, who was the chief editor of Humanite, the Communist daily of Paris. From all parties all over the world people came there, mostly Com-

munists who were connected with newspapers, although we brought the greetings of our party, too, but since he was an editor, the editors of the papers, like L'Unita, of Italy, and other papers were represented there at this very festive and gala occasion.

Q. How long did you remain? A. I stayed a week that time and returned.

Q. What did you do during that week? A. During that week I saw the leaders of the Communist Party. I don't think I saw Marty this time. I think he was away. I saw Thorez and Duclos and the women leaders of the
15771 Party. I had consultations with the women leaders.

Q. Did you visit any other country in 1949 when you were in France? A. No. In 1949 I returned immediately.

Q. What was the occasion of your 1950 trip? A. On the 1950 trip, I went to the Congress of the French Communist Party, which was held at a suburb of Paris, Glennvilliers. On all of these occasions I went to write articles for the Daily Worker. I wrote a large number of articles on all of these occasions. I also went fraternally representing the Communist Party, in a dual capacity.

Q. How long did you remain abroad? A. That visit was, I think, about three weeks, too, I believe. We were there over Easter holiday.

Q. Did you visit any other countries? A. Yes, over the weekend I went over to London, England, and again it seems coincidental, but it is a fact that there was a London Party Congress going on which I had not known about, and which they whisked me off to, a postman's holiday, and I made a speech at that Congress.

Q. What did you speak about, incidentally, at that Congress? A. I brought greetings from the American
15772 Party to the British Party, and I spoke about our common interest to establish peace in the world and spoke about some of the problems that we were having in our country which were analogous to some of the problems which they have there, of building a united front, and fight-

ing for the economic demands of the workers. They were still very bad off. They still had rationing and many grievances.

Q. When you were in Paris in 1950, what did you do? A. You mean besides the Congress or at the Congress?

Q. You attended the Congress. A. Yes, and I spoke shortly, about five minutes, greetings from the American Party to the French Party.

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15773 Q. Did you meet any representatives of the Communist Information Bureau on any of these trips? A. No, I did not.

Q. Did you make any report on the work of the Communist Party of the United States to any Communist of a foreign country on any of these trips? A. No, I would not consider my conversations were reports. They were merely an exchange of experiences, conversations like any two people would have with certain common interest, in which I asked questions and they asked questions.

Q. Did you on any of these occasions receive any instructions or in effect on any of these occasions receive any instructions or directives from any Communist of a foreign country on any of these trips or any other time? A. No, emphatically not.

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15774 Q. To whom do you owe allegiance? A. I owe allegiance to the American people.

Q. Do you owe allegiance to any foreign power? A. No, no foreign power whatsoever. I admit I have a soft spot for Ireland.

Q. Do you consider that there is any relation between allegiance to the United States of America and support of the national administration that is in power at any particular time?

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15774-A A. They are not necessarily synonymous, no. I would consider that sometimes my allegiance to the American people, to my country, might be at variance with a particular administration's policy.

Q. Do you consider that there is anything inconsistent or
contradictory between your allegiance to the United
15775 States American people and your membership in the
Communist Party? A. No, I do not. In fact, I consider that my membership in the Communist Party is part of my devotion to and allegiance to the best interests of the American people.

Q. Do you consider that there is anything inconsistent or contradictory between your allegiance to the United States of America and your opposition to the foreign policies of the present administration? A. No, I do not consider that there is any opposition or any inconsistency between my allegiance to the American people and the foreign policy of the Truman administration. Rather the other way around, that anyone, it would seem to me, who is truly devoted to the best interests of the American people must challenge the foreign policy of the Truman Administration and the bipartisan policy which it exemplifies at the present time.

Q. Has the Communist Party ever knowingly deviated from the views and policies of the Soviet Union?

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15776 The Witness: I don't think that is a question that you can answer yes or no, Mr. Marcantonio. I think it requires an explanation.

By Mr. Marcantonio:

Q. Give us the answer as you want to give it. A. It depends upon what standard one has from which there is an alleged deviation. My standard is, as I have said, whatever is for the benefit of the American people as I view it, and as my Party views it may coincide with the policies of other peoples and other governments, and if it so coincides, it is not necessarily prearranged or pre-decided, but it is because the best interests of other peoples and the American people are synonymous.

I couldn't say whether we have deviated from everything that the Soviet Union has stood for or not, because I don't know everything that the Soviet Union stands for.

On foreign policy, it is very likely that we have not differed where the Soviet Union stood for peace and stood for the best interests of their people, it would coincide with the best interests of other peoples in the world. That is to say, I think the interests of peoples everywhere in the world are bound to be more or less identical.

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15777 Q. Have you completed your answer on that question? A. I could answer at considerable length. I tried to make it brief If you want me to elaborate, I certainly would be glad to do so.

My understanding of the foreign policies of the Soviet Union, as enunciated in the press, are that they are policies for peace. Our policies, that is, the policies of the American people and of the Communist Party are policies for peace. In that sense, they coordinate or agree, and I see no reason why they should not.

Other peoples, the peoples of France and Italy are also peoples who are struggling for peace, and there are many times, like on the question of quarantining the aggressors, opening up the second front, and things of that sort, where it seemed that there was agreement among the peoples of the world, including the peoples of the Soviet Union, on how best to defeat fascism.

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15778 Q. Did you attend the special convention of the Communist Party in 1940, at which a resolution was adopted disaffiliating the Communist Party from the Communist Internationale? A. Yes, I did. I think I was Chairman of that Convention.

Q. Was the subject matter of such disaffiliation discussed by the National Committee prior to the convention? A. Yes, it was discussed at considerable length by the National Committee prior to this convention and the convention was called an emergency, special convention for the purpose of presenting it to the delegates of the Party from all over the country, that is, the motion of disaffiliation.

Q. Was anything said at the National Committee meeting with reference to the relations which would exist after disaffiliation between the Communist Party and the Communist International. A. It was clearly understood that there would be no further relations between the Communist Internationale and the Communist Party of the
15779 United States as a body. That did not mean that we
did not have comradely feelings towards the Communist Parties of the other countries in the world and were no longer interested in anything that they were doing, but that we had no further official delegation, representation on the Communist Internationale, and that we had no further official relationships with them of any sort whatsoever. It was an open and public disaffiliation.

Q. Did Browder say at the National Committee meeting that after disaffiliation, the relations between the Communist Party and the Communist Internationale would remain exactly as in the past? A. No, he definitely did not say that.

Q. Did he say anything to that effect? A. No, he didn't say anything to that effect. But he said something that might be misinterpreted or deliberately perverted to mean something like that if one wished to twist his words.

Q. If you recall, will you give us the words Mr. Browder used? A. I recall quite clearly what he said. He said that the Communist Party of the United States still believes in international solidarity, and that wherever we were called upon we would express this solidarity for the aims and purposes of other Parties, but there was no such remark that the relationships would remain unchanged, because
15780 the action definitely changed the relationships.

Q. This statement that you are quoting of Browder was made by him where—at the National Committee?

A. At this special convention, and also at the National Committee meeting.

Q. That preceded the convention? A. Which preceded the convention, yes.

Q. Did any other leader of the Communist Party ever state in substance and effect that there would be no changes in the relationships between the Communist Party and the Communist International after disaffiliation? A. I heard no leader of the Communist Party make any such remark at any time or place.

Q. To your knowledge, what were the relations between the Communist Party and the Communist International after the 1940 special convention? A. There were no further relations, no further delegates went over there to meet in their official meetings, there was no further communication as there would be with an affiliate between the Communist Party and the Communist Internationale, and whatever we knew of them, we knew through the press.

Q. When was the Communist International dis-
15781 solved, do you know? A. The Communist International was dissolved, I believe, in 1942, that is,
two years after our disaffiliation from them.

Q. Are you sure it was 1942 or was it 1943? A. '42 or '43. It was several years later, not too long a period later, but several years later.

Q. How did you first learn of the dissolution? A. I was traveling at the time, and I read a paper in Denver, Colorado. The newspaper reporters brought me a report and asked me to comment on it.

Q. Since 1943, which is the date of the dissolution of the Communist International, had there been any organization which has carried on the functions and activities of the Communist International? A. Not to my knowledge there has been none to carry on the functions of the Communist Internationale.

Q. Have you ever heard of an organization known as the Communist Information Bureau? A. Yes, I have.

Q. Is the Communist Party affiliated with that organization? A. The Communist Party of the United States is not affiliated with the Communist Information Bureau.

Q. Does the Communist Party of the United States pay a part of the money it receives as dues to the Communist Information Bureau? A. No, it does not.

15782 Q. Does the Communist Party of the United States pay or contribute any funds or give any financial assistance directly or indirect or in any manner, shape or form to the Communist Information Bureau? A. No, it does not.

Q. When and how did you first learn of the coming into existence of the Communist Information Bureau? A. As I say, I read of it in the newspaper when I was traveling. It was called to my attention. I think I was at a radio station.

Q. I am not talking about the dissolution of the Communist Internationale. I am now talking of when did you learn of the coming into existence of the Communist Information Bureau? A. The Communist Information Bureau, I think we first heard of that in the press somehow. I don't remember which paper, but in some newspapers.

Q. Did any representative of the Communist Party of the United States attend the first meeting of the Communist Information Bureau back in 1947? A. No, no representative of our Party attended.

Q. Has any representative of your party attended any
subsequent meeting of the Communist Information
15783 Bureau? A. No, we have not attended. We have not
been invited, and we have not attended.

Q. Has any representative of the Communist Information Bureau visited the United States? A. Not to my knowledge no such person has ever come to this country.

Q. Has the Communist Party of the United States received any written or oral directives or instructions from the Communist Information Bureau? A. I have never heard of such things. No, not to my knowledge. I would know as a member of the National Committee.

Q. You are in a position to know? A. Yes, I would know if there were any such communications.

Q. And your answer to my question is in the negative? A. Absolutely.

Q. Let me ask you this question: Has the Communist Party received any written or oral directions or instructions from any representative of the Communist Information Bureau? A. No, we have not, not anything that I have ever heard of.

Q. And you would be in a position to know? A. I would be in a position to know. Many requests for greetings, conventions, and things like that, and we always
15784 know exactly what they are from brother or sister parties.

Q. Has the Communist Party of the United States received any written communications of any kind from the Communist Information Bureau? A. Not to my knowledge, they have not.

Q. Do you read "Lasting Peace"? A. Quite regularly. I wouldn't say I read every issue of it, but quite regularly.

Q. Does "Lasting Peace" contain any directive or instruction to the Communist Party of the United States? A. It does not, no.

Q. Do you or your fellow members of the National Committee consider any of the contents of "Lasting Peace" as constituting a directive to the Communist Party? A. We do not. We do not, absolutely.

Q. What is your purpose in reading "Lasting Peace." A. It has news of the activities of the various Communist Parties in all parts of the world, especially in Europe. It has news of the trade unions and the working class movement. It has news of the struggle for peace. Occasionally it has news about the activities of women's organizations, and generally it has news of activities of progressive
15785 character in other countries that you would not read in the ordinary American newspaper. So it is of value to a speaker and a writer connected with our Party to read such an organ.

Q. What is the source of your knowledge of the policies and activities of the Communist Information Bureau? A. What is the source of my knowledge?

Q. That is right. A. Just the paper itself, what the paper reports.

Q. When you say the paper, you mean "Lasting Peace"? A. "Lasting Peace," yes.

Q. And with respect to your knowledge as to the structure and methods of functioning of the Communist Information Bureau? A. There are occasional reports from time to time of meetings which they hold in different countries, the representatives of approximately nine Parties, I believe, who are affiliated with it, and reports of what their discussions are and any decisions that they arrive at in connection with their organization are from time to time reported in "Lasting Peace."

Q. Since you have assumed your duties as a member of the National Committee in 1938, has the Communist Party of the United States received any directives or instructions from the Communist Party of the Soviet Union?
15786 A. No, we have not; absolutely not.

Q. From any representative of the Communist Party of the Soviet Union? A. No.

Q. From any official of the Soviet Government? A. No.

Q. From any official or representative of the Communist Party of any other country? A. No.

Q. Or from the Communist Party of any other country? A. No.

Q. Since you assumed office as a member of the National Committee in 1946, has there been a representative of the Communist Internationale in the United States? A. Not to my knowledge there has not been. I never heard of one.

Q. Since that date, has there been any person in the United States who was the equivalent of a representative of the Communist International in the United States? A. No, there has not been.

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15790 Q. Since you assumed your duties as a member
of the National Committee, how have the funds of
the Communist Party been obtained? A. There are two
ways that funds are obtained for the Communist Party. One
is through dues, and possibly an assessment around election
time, that is, an election assessment, through contributions
from a fund drive which is usually held once a year. Some-
times it is necessary twice a year, depending upon how many
cases we have and what the needs of the Party are. It is
a public fund drive to which we appeal to members
15791 of the Party, sympathizers, friends and anybody
else who wants to contribute to the Communist
Party's work.

Q. Since you assumed your duties as a member of the National Committee and a member of the National Board, has the Communist Party received any financial aid from the Soviet Government? A. It certainly has not to my knowledge, and I would certainly know.

Q. From any agency of the Soviet Government? A. No.

Q. And from the Communist Party of the Soviet Union? A. No.

Q. And from the Communist Internationale? A. No.

Q. Or from the Communist Information Bureau? A. No.

Q. Or any agency or representative of either the Soviet Government, the Communist Party of the Soviet Union, the Communist Internationale, or the Communist Information Bureau? A. No to all of those questions.

Q. Since the commencement of your tenure of office on
the National Committee, has the Communist Party
15792 received financial aid at the direction of any of those
that I have mentioned? A. No, we have received no
outside financial aid whatsoever from any place outside of
the United States.

Q. I will ask the question specifically. Has it received financial aid from any source outside of the United States?
A. No, it has not.

Q. Or any financial aid at the direction of any person or organization outside of the United States? A. No, it has not to my knowledge, and I think I would be in a position to know.

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15794 Q. During the period of your membership on the National Committee, has the Communist Party ever sent any representative or member to any school, class or institute in the Soviet Union? A. Not during my membership in the National Committee no. That is since 1938.

Q. Has the Communist Party during your membership on the National Committee sent anybody to any Communist school or class or institute in any foreign country? A. No, not that I know of, not in any other country.

Q. To your knowledge, during this period of your membership on the National Committee, has any member or representative of the Communist Party attended 15795 any such school, class or institute? A. You mean Communist schools?

Q. That is right, Communist schools. A. No. Communist GI's attended a lot of schools all around the world, but they were different kinds of schools.

Q. I am talking about the Communist schools abroad. A. Communist schools, no.

Q. During this period has the Communist Party sent any member or representative to the Soviet Union for instruction or training in the principles, policies, strategy or tactics of Communism? A. No, not in the period that I have been a member of the National Committee, there has been no such transaction.

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15801 Q. When and where did you first learn of the Duclos article on the subject of the dissolution of the Communist Party of the United States? A. I think it was from a story in the World Telegram that appeared about April of 1944.

Q. Was that 1944 or 1945? A. 1945.

Q. I want to refresh your recollection. A. You jumped me a year.

Q. The period of May, 1945. A. Yes.

Q. Prior to May 1945, had you heard any discussion of the Browder policy from rank and file members of the Communist Party? A. Yes, I had. There was a good deal of discontent among many of the older members of the Party over the formation of the Communist Political Association. There was a considerable feeling on the part of the foreign born that had been told that they could no longer be members of the Party, many of whom were charter members of the Party. There was discontent among trade unionists, who felt that Browder's concept of a progressive capitalism which would solve all the problems of labor without struggle was a Utopian one, was a fantastic one. As I traveled around speaking, I met quite a good deal of difficulties in
15802 answering questions to Party members and non-Party members. I remember in Camden, New Jersey, for instance, the shipyard workers said to me, "How do you know there are going to be 60 million jobs, just because Browder said so?" "We know the shipyard owners. You don't know them."

I was in Connecticut and heard similar comments the factories are beginning to shut down, and where is this prosperity that we are so sure of. Then I heard a great deal of anxiety among women workers who are being laid off as to whether they would be all thrown out of work and the veterans replace them, and as to whether they would keep their seniority in industry which some of them had won. So there was this sort of general questioning and anxiety among Party members and non-Party members alike as we approached the end of the war, as to just what the postwar period held, and as to whether Browder's prophecies in relation to the postwar period were valid or whether it was just a lot of fantasy on his part. I think the workers had the feeling that there was a lot of fantasy connected with it.

Q. Prior to May, 1945, when you first learned of the Duclos article, were there any discussions in the National Board with reference to the Browder policy? A. Yes, there had been.

Q. Will you tell us about them? A. Yes. Several 15803 members of the National Committee — because a good many of them traveled around, John Williamson traveled around a good deal and he got the same union reactions I got, and he also was organization secretary of the Party—and he said the Party membership was falling off, that is, the CPA membership, and that there was not the same enthusiasm for the Party that there had been previously. He felt that there had to be organizationally a reevaluation of policies. Then I remember that Eugene Dennis and Gil Green, at one meeting, proposed that there should be a special gathering of the National Committee, a plenum, a large meeting of the National Committee, where the whole question of postwar prospectives would be reviewed in light of the changes that were taking place in the country. Benjamin J. Davis, Jr., the Negro leader of our Party, was very much concerned and raised the question as to the rights of the Negro people—were they being properly safeguarded, were there guarantees that they would be safeguarded after the war was over, and what would be the place of Negro people in industry after the war was over, and the returning GI's, especially the Negro GI's were a matter of great concern to Benjamin J. Davis.

I remember some questions on the part of Stachel, but William Z. Foster, the Chairman of the Party, at 15804 every meeting of the National Committee, in one form or another, raised objections to the Browder policy and questioned it.

I remember once he had a list of something like 50 questions that he said the Browder policy did not answer, and would have to be answered before our Party went into the postwar period approaching workers, Negro people, women workers, et cetera, that these questions just simply had to be answered, and that the Browder policy had not answered them.

So I would say that there was quite a ferment and at the same time because we were still in the war and there was a question of winning the war, it was a controlled and disciplined ferment, because no Communist wanted to do anything to upset the war effort. It was projected to the postwar period, what is going to happen in the postwar period, and will the Browder policies fit the postwar period, and a scepticism, a questioning as to whether that would be possible.

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15807 Q. Were you ever told by anyone that Manuilsky had said that the Communist Party should take guidance from the French Communists? A. No, sir, I never heard of any such thing.

Q. Did anyone ever tell you that Manuilsky had used words to that effect? A. No, not until the witness said so from the stand at Foley Square.

15808 Q. When he was testifying for the government in that case? A. Yes, he was the government witness in that case against the 11 leaders of the Party.

Q. After you first learned of the publication of the Duclos article, did you receive a copy of it? A. Yes, I think first we had mimeographed copies of it, and then it was published in the Daily Worker with an introduction or something by Browder.

Q. Did you read it? A. Yes, I read it very carefully.

Q. Did you consider it a directive or instruction or an order to the American Communists? A. No, I did not. I considered it an article which had been written in a theoretical magazine in France by a leading French Communist, a leader of the resistance movement, a man who was greatly respected, and that naturally we should give it consideration. But I didn't consider it a directive to our party.

Q. And was the Duclos article discussed by the National Committee and the National Board of the Communist Political Association? A. Yes, it was. It was discussed.

Q. You attended the discussions? A. Yes, I at-
15809 tended all of the discussions.

Q. You participated in the discussions? A. Yes.

Q. In that discussion did anyone say that the Duclos article constituted a directive, instruction or order to the American Communists? A. No, quite to the contrary, it was in the spirit which I have expressed, that it was given consideration, that it was an article which was critical, it dealt with certain American policies which we should read and could accept or reject, just as we pleased. It was no directive; it was his opinion. It was one man's opinion in another country.

Q. Did anyone say that it should be considered as a directive or order to the American Communists? A. No, quite to the contrary, that it was not such.

Q. Did anybody say that it was such in that discussion? A. No.

Q. Did anyone use words that were in substance or effect that this article was to be considered as an instruction, directive or order? A. No, no such language was used.

Q. What was the significance of the Duclos article
15810 to you and the members of the National Committee
or the National Board of the Communist Political
Association at that time? A. As I said, there was a great deal of ferment and discussions going on in our Party, and it was of great interest to us, naturally, that in a sister Party in another part of the world that such an article should be published in a theoretical magazine, and we would give it our attention. I doubt very much if we would have given it the same attention, possibly six months before, but the changing conditions of our country as reflected in the discussions in our own Party sharpened our interest in what the leader of a sister Party had to say. In that sense, and in that sense only, was the article read and discussed.

Of course, the text of the article deals a great deal with what Browder said and what Foster said. In fact, the totality of the article is almost entirely quotations from what Browder said and what Foster said and then comment of Duclos. Included in the article was the purpose of the

article which he later, as I testified, he said to me in Paris that it was the fear that the French Party membership might go the same way and follow the Browder line, which they considered to be a great disaster to their Party and that is why they were so sharp in their criticisms. It was their own Party business that they were concerned with, that their Party should not make such a mistake
15811 as they felt that the American Party had made in dissolving the Communist Party and setting up some kind of a non-political association.

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15815 Q. Were you ever advised by anyone that Browder's position had been upheld or approved from abroad? A. No. In fact, contrary-wise we knew some parties did not approve of it, notably the Australian Party, which had gone on record as opposing the policies of Browder. Browder, I believe, had written them a letter asking them their views, and they had very sharply dissented from Browder's views.

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15848 Q. Miss Flynn, have you ever read any of the following: The 21 Conditions for Admission to the Communist Internationale? A. No, I haven't read all of those. I have heard some of them read in proceedings, but I have not read them all.

Q. The Resolutions of the Sixth Congress of the Communist Internationale? A. No, I don't know about that.

Q. Peters Manual on Organization? A. Only the sections that I have heard read in court proceedings.

Q. When you say sections read in court proceedings, what do you mean by that? A. In our trial downstairs, the government has been reading sections and sections
15849 were read in the trial of the first group of Foley Square and I have read the record.

Q. So that that is the first and only time that you have had occasion to read of anything in Peters Manual on Organization? A. That is correct.

Q. Have you ever read Olgin's book entitled, "Why Communism"? A. No, the answer would be the same. Those sections which have been read into proceedings, I have read. But the pamphlet or book or whatever it is, as a whole, I have not read.

Q. And Foster's Book "Toward a Soviet America? Have you read that? A. I have not read that in full either.

Q. In your speeches, writings and lectures at the Communist Party schools, have you made references to any of these books or pamphlets that I have mentioned? A. No, I never have.

Q. Since 1938, when you became a member of the National Committee, has the leadership of the Communist Party considered that any of these works correctly sets forth the views of the Communist Party and its policies? A. I would consider that practically all of those items which you have mentioned are considered obsolete by the leadership of the Communist Party. In fact, the book
15850 "Soviet America," Mr. Foster has himself repudiated, and as far as Peters Manual is concerned, I once asked the educational director of our Party, Miss Gannett, about it, because I heard discussion of it, and she said forget it, it is out of date.

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16016 CROSS EXAMINATION

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By MR. PAISLEY:

16050 Q. You say you went to Europe in 1945, 1949, and 1950, under your own name and advised the State Department truthfully of the countries that you were going to visit? A. That is correct.

Q. Did you tell the State Department that you
16051 were a Communist? A. Yes, I gave my occupation, and I went as a representative of the Communist Party in 1945, when the first application was made. In fact, passports were not issued in 1945 very generally, and a bloc of passports were issued to the delegates in which I believe the French Government also intervened and made a request

to the State Department that it should be expedited.

Q. The occasion of your visit in 1945, it was to attend the Women's Congress for Peace? A. That is right.

Q. You say that Congress did not have sinister aspects attributed to it by John Lautner? A. I don't know the Lautner testimony in relation to the Congress.

Q. Why did you make the statement? A. I know it had no sinister aspects, so if he so testified, he was wrong.

Q. Why did you make the statement that he did attach to it sinister aspects if you didn't know what you were talking about? A. I knew what I was talking about, Mr. Paisley. The attorney asked me—

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16076 Q. You say that you did exchange experiences with foreign Communists on these visits over there? A. Naturally.

Q. Would that include Russian Communists? A. No, I had no discussion with Russian Communists.

Q. None whatever? A. Outside of the women. I didn't meet any other Russian representatives.

Q. How many Russian women? A. Oh, there were
16077 about 25 or 30 Russian women at the delegation.

Q. One of the prime principles of the Communist Party here and in Russia is that there shall be no male chauvinism, isn't that so? A. That is very correct, Mr. Paisley.

Q. You women want to participate 100 per cent in everything that goes on? A. That is very correct.

Q. Here, and there, too. A. Everywhere, yes.

Q. So you did talk to Russian Communists. A. I talked to Russian women, and I presume these women were Communists. I talked to Russian women. We talked about all kinds of things, child care after the war, we talked about the reconstruction of the countries, we talked about the rights of women.

Q. Were they Communists or not? A. I know that Madam Popova is a Communist. Whether every one in that delegation was a Communist or not, I don't know. There were not all Communists in every delegation. There were people who had been very heroic in the resistance movement. I could not swear under oath that every single woman in that delegation was a Communist.

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16083 Q. Are you telling this Panel that the Daily Worker, whether you wrote it or not, or Political Affairs, has not constantly supported the Soviet Union at all times when the views and policies of that country differed with those of the United States? A. If the Daily Worker and Political Affairs articles did so support the policies of the Soviet Union, it was because the writers believed that they were correct policies, as I have tried to explain.

Q. Don't you consider that an evasive reply?

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16084 The Witness: I don't think I can answer yes or no. I would like to explain my answer.

By Mr. Paisley:

Q. All right, explain it. A. It is probably true that by and large the articles in the Daily Worker and the Political Affairs and very likely any articles which I wrote which involved specific details about the Soviet Union did agree with policies which were enunciated by the Soviet Union, because those writers and myself believed that those particular policies were right. As we see it, a socialist country is different from a capitalist country, and the policies of that country will be by the nature of things peaceful and by the nature of things for the best interests of their people.

Now, it is our opinion that a peaceful policy is then to the best interests also of the American people, and we believe that the best interests of the people of the Soviet Union and the people of this country coincide. We have never taken the position—I certainly never have in my writing—that was in any way contradictory to the best interests of the American people as I conceive them.

16085 Q. And you say that that is the reason why you can not cite a single instance when the views and policies of the Soviet Union were criticized in the Communist press, and not because you Communists owe allegiance to the Soviet Union? A. That is correct. It is not because of this false charge of allegiance to the Soviet Union. It is because of, as I stated, the fact that we believe that the best interests of the American people and the people of the Soviet Union coincide and if our administrations acted in that spirit, there would be peace between these two great countries, and they together with England and France and China could guarantee and establish peace in the world.

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16093 Q. All right. Let us consider that that is the fact. The Party then was a member of the Communist Internationale from 1921 until the time it withdrew. A. Until the time it withdrew. That is the best of my knowledge and belief, yes.

Q. And you say the resolution of disaffiliation was discussed in the National Committee previously? A. That is right.

Q. You were then on the National Committee. A. That is correct.

Q. And you say it was clearly understood that there will be no further affiliations, but we still had comradely feelings. Did you so testify? A. Yes, that we were not disaffiliating in anger, or disaffiliating to fight the Communist Internationale. It was, you might say, a friendly divorce.

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16099 Q. You say, Miss Flynn, that to your knowledge there has never been a Communist Internationale representative in this country? A. Yes, that is correct, to my knowledge there never has been.

Q. You mean to say that Eisler was not? A. No, Eisler was not to my knowledge a Communist Internationale representative.

Q. Did you ever see him in the Communist Party headquarters building? A. No, I don't think I ever met

16100 him in the Communist Party headquarters building. I have no recollection of it.

Q. Do you know whether or not he submitted articles for publication in the Daily Worker? A. No, I don't know whether he did or not.

Q. You testified for him? A. Pardon me?

Q. You testified for him in his trial. A. Yes, I testified as to a particular point that arose in his trial on associate membership in our Party.

Q. Did you know him as Hans Berger? A. No, I didn't know him as Hans Berger. I only knew him as Gerhardt Eisler.

Q. You didn't know him as Edwards? A. No, I never heard of him as Edwards.

Q. Was he just in retirement over here in the United States? A. My understanding is that he came to the United States as a political refugee from the Nazis on his way to Mexico, and was held up here in the United States, and that he never intended to remain in the United States. He wanted to go back to his own country.

Q. How long did he stay? A. He was ready to
16101 leave and take his trip about the time he was arrested.

Q. You didn't answer my question. We can get through if you will answer my question. A. I don't know how long he stayed. I don't know the exact date of when he came and I don't know the exact date when he left. A few years.

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16112 Q. You say you read Gates' testimony. Did you read both the direct and the cross? A. I read it as thoroughly as I could. I mean, Mr. Paisley, I didn't read every single word of it, because it was handed to me about the day before I came here. I just could not read the whole thing, every word. I tried to get the gist of it. I tried to get the full meaning of it, yes.

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16118 Q. Did you write any criticism of Browder before the Duclos article came out? A. No, I don't think I did.

Q. Did you denounce him in any public speech before it came out? A. May I correct you, Mr. Paisley. There was no Duclos letter. It was an article. Did you say letter?

Q. I thought I said article. A. No, I don't think I did.

Q. Did you ever denounce him to his face before the Duclos article came out? A. We had some very heated discussions within the Executive Committee meetings of the National Committee, yes.

16119 Q. And that was when he was general secretary of the Party? A. That is right. Well, he was President of the Communist Political Association at the time.

Q. Did any other Communist Party leader to your knowledge write anything derogatory of him before the Duclos article came out? A. The name of Earl Browder may not have been mentioned in such articles, but there were articles written by Mr. Foster which did criticize the policies of Earl Browder and which any Party member would understand were criticisms of him.

Q. Are you referring to the famous Foster letter that was suppressed? A. No, even prior to that. I recall there was an article in the magazine "Masses," in which Browder made the remark that Foster seems to be following one line and I seem to be following another, and introduced this article to the National Committee in protest.

Q. The Foster letter was not released over here to the membership before it appeared in the Duclos article, was it? A. Not to the membership. It was made known to the National Committee.

16120 Q. And was suppressed? A. In the sense that it was not made know to the membership, yes, that is correct.

Q. And didn't Browder agree to that suppression as a tactical measure during the United Front Period? A. You mean Foster?

Q. I mean Foster. A. Yes, he so stated, not just the United Front period, not to create disunity within the Party during the war.

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16128 Q. Did you ever disagree with Joseph Stalin? A. Mr. Stalin has expressed opinions on a great many subjects, and I am not qualified to answer. I don't know whether I agree with him on every subject.

16129 Mr. Brown: That is not the question.

The Witness: I just don't know.

Mr. Brown: The question was not did you always agree with Mr. Stalin. Did you ever disagree with him was the question.

The Witness: No, I have never disagreed with him.

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16134 Q. Has the Communist Party in the United States taken a position on the charge of germ warfare made by the Russians against the United States?

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The Witness: I don't think that charge is made by the Russians. I think that charge has been made by an international—

Mr. Brown: The question, Miss Flynn, is: Has the Communist Party taken any position in regard to it?

Mr. Marcantonio: Just a moment, Mr. Chairman.

The Witness: I object to calling it a charge by the Russians.

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16137 Q. Do you take any position as to whether or not the charge is true? A. When a charge is made by so many different people in different parts of the world, it certainly is worthy of very careful investigation and not just flat denials.

Q. Do you believe it is true? A. I believe it is true, yes, I am sorry to say as an American.

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Q. But you have no personal knowledge of the facts? A. I haven't been in Korea, Mr. Paisley, no.

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16142 Q. Isn't it a fact that every document in writing, such as the ones I have just mentioned, which may have a tendency to prove domination and control from abroad, the advocacy of force and violence, and the purpose of the Communists in this country to bring about a Soviet America, are at this time in this day referred to by you Communists as obsolete?

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16143 The Witness: I testified that in the instance of at least one of these books, I was told that practically at the time I joined the Party that the book was out of date. Mr. Foster many years ago testified before Congressional Committees that he considered his book was immature and incorrect and he repudiated the ideas in that book. That is not 1952, that is quite a long time ago.

By Mr. Paisley:

Q. He also repudiated his statement that the Red Flag was the flag of the workers of this country, too, didn't he? A. Yes, he did. He said he thought it was sectarianism, leftism, and so forth.

Q. He at one time made the statement, did he not? A. He made the statement.

Q. When did he repudiate it? A. Before one of these Congressional Committees.

Q. When? A. I don't know the exact date, Mr. Paisley. It is a long time ago.

Q. Do you have any recollection at all? A. I think it would be in the late thirties or early forties.

Q. Late thirties? About 1939? A. Yes.

16144 Q. About the time that Gitlow testified openly down there? A. I didn't keep track when Gitlow testified.

Q. You were on the National Committee at that time, were you not? A. Yes, I was on the National Committee.

Q. So that for 20 years in these United States, he has not openly repudiated that statement?

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Q. Is that right? A. I don't know when he made the statement in the first place. I do know he repudiated the statement. That is to the best of my knowledge.

Q. When did he write "Toward A Soviet America"? A. He must have written that a long time ago, too. I don't know. Probably in the period that I was in Oregon because I don't remember the book being published.

Q. Has the Party in the United States ever engaged in espionage directly or indirectly to your knowledge? A. It has not.

Q. Has it ever aided by furnishing any members of the Party to so engage? A. It has not.

16145 Q. Did any Party leader, including Browder, ever furnish any members of the Party, or recommend any members of the Party, to engage in that type of activity? A. To my knowledge during the period that I have been a member of the Party I know of no such transactions.

Q. Have any members of the Communist Party in this country ever been convicted of espionage? A. No, I don't think anyone ever has been.

Q. Was Harry Gold a member of the Party? A. I don't think so.

Q. Were the Rosenbergs members of the Party? A. I think not.

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16148 16149 **Herbert Aptheker** was recalled as a witness, and having been previously duly sworn, was examined and testified further as follows:

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CROSS EXAMINATION

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16246 Q. You wouldn't even state that at the time the policy of self-determination of the Negro people and the Black Belt was enunciated by the party that it was the policy advocated by the majority of the Negro people, or even a majority of their leaders, would you? A. No. No, not in the developed sense in which the party put it forward. It still isn't.

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16252 Q. If the Communists were successful in gaining control of government in these countries which currently have Bourgeois governments, would opposing political parties be allowed to exist and publicize their
16253 views? A. They would.

Q. For how long? A. For as long as different classes existed. With the existence of different classes there are different parties.

Q. But it would be the purpose of the Communist Party if it had control of such a government to stamp out all classes but the working class, would it not? A. What do you mean by "stamp out"?

Q. Eliminate by any means by which they might be able to exert power? A. No, that is wrong. The way you put it is false.

Q. Would the Communist Party share the leadership with any other political party? A. When?

Q. If it were able to get into a position of leadership in a country, would it be willing to share that leadership with some other party? A. Not only would it be willing, it is willing. It shares it now, for instance, in China. Five or six or seven or eight parties are a part of the Chinese government at this point. The same is true in North Korea.

Q. Parties independent of the Communist Party?
16254 A. That is right.

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16259 Q. Would an anti-Communist Party press be permitted to exist once the Communist Party has gained the position of leadership in a country? A. Yes. There are anti-Communist press—I won't say anti—there are non-Communist presses which exist in, are and continue to exist, though the Communist Party is in leadership. By the way, this happened in the Soviet Union.

Q. Would an anti-Communist Party press be— A. Yes, I would say it would, and it did in the Soviet Union for a time.

Q. For how long? A. For how long?

Q. Yes. A. Until there developed a sufficient unanimity on the part of the social order and of the people that it became clear that this press was a press in the pay of the interventionalists and counter-revolutionary. It is then that it is not permitted. It is exactly the same as after the American Revolution. During the American Revolution, for 10, 12, 14, years, no Tory press was permitted in any area controlled by the American revolutionists, because this was not a difference of opinion, this was an expression of clear and open treason at the moment's crisis.

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16331 Q. All right, do they have democracy in the Soviet Union? A. In the Soviet Union they have what they call democracy, proletariat democracy, that is, the democracy commensurate with a socialist society.

Q. Democracy as used in the United States includes such concepts as freedom of the press, freedom to maintain religious institutions without the control of the government, freedom to maintain political parties, whose objectives are to vote out the men holding national office and vote in different men, freedom to advocate a change in our economic system by constitutional means, freedom to oppose the policies of duly elected leaders, such freedoms as that, does it not? A. Is that what democracy means in the United States, is that what you are asking?

Q. I am asking you democracy as used in this country, when we talk about the term "democracy," democratic rights, we are speaking about such things as I enumerated;

now, would you like me to enumerate them separately so you could say yes or no individually? A. Well, it doesn't matter whether you do it; we are speaking about a
16332 Bourgeois democratic republic in which such rights have been achieved by the people after generations of very bitter struggle. That is what we are speaking about, yes. That is what I am talking about.

Q. Do these freedoms exist in the Soviet Union?—would you like me to take them separately? A. Sure.

Q. Freedom of the press, does that exist in the Soviet Union? A. Yes.

Q. Freedom to maintain religious institutions without the control of the government? A. Yes.

Q. Freedom to maintain political parties whose objective is to vote out the men holding national office and vote in different men? A. Impossible to exist; again, freedoms of—are not nebulous, freedoms are concrete. Such a freedom is impossible to exist because there is one class. Parties reflect classes. If you have one class, a Mr. Calhoun knew in 1828, practically every other political economist from Aristotle up knew if you have one class you are going to have one political party, therefore this freedom is not applicable to a socialist society such as, for example, the freedom to own slaves is non-applicable to our society. Nobody is free to do that. They used to be, but they are not any more.

16333 Q. Freedom to advocate a change in the economic system by constitutional means? A. Well, not really; again, it is academic. Of course, if you speak of the movement of socialism and Communism, which is a great economic change, you are not only free to advocate; everybody is doing the best he can to bring it about.

Q. Freedom to oppose the policies of the duly elected leaders? A. By all means, with the most severe criticism.

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16346 Q. What position does Mr. Molotov hold? A. I am not positive, but he holds a high position.

Q. How about Manlenkov? A. I testified yesterday that I don't know his title.

Q. You know that both of these gentlemen hold positions of great authority, do you not? A. Yes.

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16348 Q. But you deny that the government of the Soviet Union is in the form of a dictatorship of a political party? You deny that? A. That is right. It isn't a dictatorship of a party. It is a dictatorship of a class.

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16389 Q. Members of the Communist Party are urged very strongly to read the Daily Worker regularly, are they not? A. Yes, they are.

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16420 Q. As a witness in this case, do you stand disinterested as between the parties? A. No, I am not disinterested.

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16421 Q. Would you say that you are profoundly interested in the outcome of this case? A. Yes. All Americans are.

Q. You so testified in Baltimore, did you not, when you testified in that case for the Communist defendants? A. Yes. I said I was profoundly interested in the case.

Q. Did you not testify that your interest in that case was that the democratic way of life was at stake, that the fact of freedom, that the fact of peace, everything you valued, more than your life, you thought was involved there?
16422 Did you so testify? A. I think that is an accurate quotation, Mr. Paisley.

Q. And is your interest in this case on the same level? A. Yes, I am profoundly concerned about this case.

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16440 Q. Were you consulted about the answer that the Communist Party filed in these proceedings? A. The answer?

Q. Yes, A. Do you have it? That would refresh me.

Q. I have a copy of it here, if you want to look at it. A. Just so I can know exactly what you are talking about, Mr. Paisley.

Q. It is filed by Gus Hall. A. Just so I can see what it is.

16441 Q. It is called an amended answer. (Handing to the witness). A. I see. Yes. Yes, I was asked to pitch in, make some suggestions of a historical character. I said, yes, immediately as I saw page 4, where there is a quotation from Metternich, for instance. I remember very distinctly that I offered that, because I thought that that was to the point.

Q. How long were you employed in working on the answer? A. What do you mean by employed? Was I paid? Is that what you mean?

Q. How much time did you devote to it? That is a very simple question. A. I appreciate the simplicity. That again would have to be a very approximate answer. I don't know. I'd say a few hours. It might have been three and a half or four and a half hours dispersed over evenings.

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16455 Q. You spoke about imperialism. I want to get this straight. Do you Communists in the United States contend that the United States is a leading imperialist nation of the world? A. Yes.

Q. And that the Soviet Union is not? A. The Soviet Union is not an imperialist nation.

16456 Q. That's exactly what the Soviet Union contends, isn't it. A. I believe so.

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16457 Q. Yes. Have you ever written or said anything that is opposed to the views and policies of the Soviet Union? A. Opposed to what?

Q. Of the Soviet Union? A. I don't think so. When I have written on subjects which were pertinent to that, I don't think that there has been a clash of views, because of the fundamental precept of Marxism-Leninism in each case.

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16458 Q. Now, at the trial in Baltimore, didn't you state
at one time in your testimony that the Party had
never stood for the overthrow of government by force and
violence? A. I am confident that I did, because I believe
that.

Q. When you were confronted with a quotation from
Foster's book, "From Bryan to Stalin" as follows: "We
need look only to the fascist terror in Germany, Italy and
Spain to realize the correctness of this whole anal-
16459 ysis of Lenin's analysis of the futility of the social
reformists' plan of bringing socialism through
purely parliamental acts," did you not then say that the
first part of that quoted sentence was an illustration of
the Marxist-Leninist concept of violence and terror coming
from Fascist minority, and that the second part of the
sentence would not have been asserted by Foster for the
past 13 years? A. That's right.

Q. So on one day down there you said that the party had never advocated force and violence, and then a day or two later, when you were under cross examination and were confronted with that quotation from Foster's book, you practically admitted that the Party at one time did so advocate? A. No, Mr. Paisley, that is not correct. Do you want me to explain that?

Q. Yes, I would like to know what you meant, that Foster
wouldn't have asserted that for 13 years. A. Because ob-
jective conditions have changed so that it is the belief now,
which has been developing in the whole Communist move-
ment, that the forces of Socialism are so strong and are
going so strong and that with the whole policy of the United
Front and Popular Front and people's government, that
you can get sufficient strength to hold off the organizaion
of counter revolutionary force and violence—Fas-
16460 cist elements, as in Italy and Spain and Germany,
in that quotation, so that you would not have to

have resistance to this counter revolutionary force and violence. Do you see my point?

Q. What was the significance of your statement there about the past 13 years that he wouldn't have asserted that for the past 13 years? A. Because the analysis of the world situation has changed because of the change in objective conditions, and the feeling now is very prevalent amongst Communists that you have greater and greater possibility of the peaceful transition into Socialism, because the capacity of the reactionaries to organize forcible repression to the will of the people is constantly being undermined. That is the point.

Q. But prior to the 13 years ago, using your own words, the Communist Party in this country did advocate force and violence? A. No, sir.

Q. Won't you admit that? A. No. I state again what I have stated just now to you in the past five minutes. Shall I do it again?

Q. No. You don't need to do it again. I just wanted you to explain your position. A. All right. I have done the best I can.

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16464 Q. All right. Then I'll ask you this question. Did not the Daily Worker publish an article on February 17, 1930, entitled "Lovestone—State's Witness" containing the following language: "This record is valuable—" A. Pardon me. May I interrupt. Have I been asked to identify this in any way?

Q. I am asking you if the Daily Worker didn't publish this article? If you don't know, you can say so.
16465 If you do know, you can say so. A. Do you want me to answer that question now?

Q. No, I want to read it to you.

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16466 Q. Now, I am quoting: "This record is very valuable, not only in properly evaluating political role of Lovestone as a right wing enemy of the Communist

International and the Communist Party of the United States, but also as an object lesson for all comrades of the kind of attitude toward the courts which is absolutely impermissible in a party member. It is the duty of Communists to throw every possible obstacle in the way of conviction of their fellow party members in the courts, to defend these members by all possible means, and absolutely refuse to give testimony for the state in any form. Testimony of Communists can only be given for the defense of Communists, not for the state, and then it must be based upon uncompromising defense of the party and its program. And anyone who trades his testimony to the state for personal immunity from prosecution should be unhesitantly kicked out of the movement."

The question is, did the Daily Worker publish that article? A. I don't know, sir. I was 14 years old when that appeared.

Q. Do you deny that that is a principle of the Communist Party today? A. That is a principle, what you read.

16467 Q. What I read? A. I assert that what you read is not any different from what I tried to say here.

Mr. Brown: Please answer the question.

Mr. Abt: Would you like to see the article?

The Witness: It would be helpful because some of the words I didn't like.

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16468 The Witness: I would offer objection to that article. I don't agree with it. I don't agree with its terminology, and particularly with the last sentence. I think it is too sweeping. I think the expression is rather sectarian. I personally have a feeling that that is an excerpt from an article. I don't think it is the whole thing.

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Recross Examination

By Mr. Paisley:

16476 Q. Who in the Army knew that you were a member of the Communist Party? A. It would be easier in terms of any contact I had with, Mr. Paisley, as who didn't. What I am trying to say, I never questioned a superior officer and said, "Now, Colonel Allen, or whoever it is, do you know that I am a member of the Communist Party?"

I did not mean to convey that. What I mean to convey and what I say is, that my views were a matter of public knowledge.

I had written under my own name always, and did while I was in the Army. I spoke freely. I delivered the orientation lectures. People knew that, and now that you ask that, this comes to my mind.

I was publicly denounced in the press in the Hearst Press, I suppose to embarrass the government, I don't know, but
I was publicly denounced by name because I was a
16477 commissioned officer overseas, and a Communist.
Now, I was overseas, couldn't come back and so forth, wasn't even asked to, but Major General Bissell, who was then Army G-2, personally appeared before the Congressional Committee Investigating Committee, I don't remember what kind it was, and he stated that he had examined my record, that the only force and violence that I ever used, I was using then in fighting Germany, and General Bissell was kind enough to say that he wished all the officers in the United States had my record.

So this was, as I say, public knowledge. It was known in the outfit, for instance, when I was overseas. In fact, the guys knew it before I did.

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16486 Q. What do you say that Lenin meant by this sentence: "We repudiate all morality that is taken outside of human class concepts"? A. Exactly what I said; that is, Marxist-Leninists are materialists, historical materialists, and they do not think that morality is something which is suspended in the clouds and has no relationship to social economic reality. On the contrary.

For instance, I will give you this example. Aristotle wrote a great deal and he lived in a slave society, but you will not find a word in Aristotle condemnatory of slavery.

The reason for that is not that Aristotle had a pygmy brain or was a moral idiot. The reason for that is that since he lived in a slave society, he acquiesced and accepted it. You and I don't.

This is an example of the fact that morality is tied to socio-economic reality. That is what Lenin is saying there. Morality is not independent of social organization. It is dependent upon social organization.

Q. Do you contend then that this quotation does not mean that if testifying falsely would serve the class struggle, it would not be immoral? A. That if testifying falsely would serve the class struggle, it would not be immoral? You have so many negatives in there, I am not sure which answer conveys my meaning.

16488 Q. Well, let me put it to you this way. If testifying falsely would serve the ends of the class struggle an effort to bring about the dictatorship of the proletariat, would you consider that to be immoral? A. You cannot abstract this from actual conditions. What I mean
16489 by that is, as a general principle, as a rule I will assert to you, yes, it is immoral to testify falsely, and means and ends are conjoined and not separate, and therefore if you have a moral movement, to serve it will not require immoral ends.

It is, however, true, as I testified a moment ago, that if you have an absolute tyrannical kind of a society, which we do not have, and I hope we will not have, but if you did have,—let me be concrete. I will give you an example in terms of my own specialty.

Douglass tried to escape slavery. He is arrested. When he is arrested he is brought before a magistrate.

The magistrate says to him, "Did you try to escape from slavery? Did you write this?"

Douglass says, "No, I didn't."

Now, if you ask me which is the immoral person in this colloquy, I will say to you that the immoral person is the magistrate, and the moral person in that case was Frederick Douglass. So again it is not absolutes that we are dealing with here.

In our society, in our life, and in my position, the position of my party, and with the remaining freedoms that we have in our country in the unity of means and ends, it is immoral to testify falsely. I have not done so. I would not do so.

16490 Q. It is? A. I say it is immoral.

Q. You say that the McCarran Act itself is an immoral piece of legislation, don't you? A. I do.

Mr. Paisley: That's all I want to know. That's all.

By Mr. Marcantonio:

Q. Do you believe in testifying falsely in fighting the McCarran Act? A. No, certainly not. I have said a thousand times I testified truthfully.

Q. Despite the fact that you are most seriously opposed to the McCarran Act? A. Certainly. I want to by democratic process change it.

III.

EXHIBITS

Petitioner's Exhibit No. 4D

The Communist, September 27, 1919

Our program is clear: it calls for the overthrow of Capitalism and the establishment of a dictatorship of the proletariat. That objective will determine our actions: that goal we shall never lose sight of.

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Capitalism is at the end of its historic mission; it is now the worst enemy of progress and civilization. Let the Communist proletariat answer!

Responding to the call of the Communist International, and building upon the basis of revolutionary experience in Europe, together with the revolutionary experience of the American movement, the Communist Party organizes for action.

On with the struggle! Unify the conscious elements of the proletariat! Make the Communist Party actually the party of the militant proletariat!

Petitioner's Exhibit No. 4A

The Communist, September 27, 1919

THE PARTY CONSTITUTION ADOPTED AND ISSUED BY THE CONVENTION OF THE COMMUNIST PARTY

I. Name and Purpose

Sec. 1. The name of this organization shall be THE COMMUNIST PARTY of America. Its purpose shall be the education and organization of the working class for the establishment of the Dictatorship of the Proletariat, the abolition of the capitalist system and the establishment of the Communist society.

Petitioner's Exhibit No. 8

THESES AND STATUTES OF THE THIRD (COMMUNIST) INTERNATIONAL

Adopted by the Second Congress
July 17th—August 7th, 1920.

Publishing Office of the Communist International
Moscow, 1920

Statutes of the Communist International.

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The Communist International makes its aim to put up an armed struggle for the overthrow of the International bourgeoisie and to create an International Soviet Republic as a transition stage to the complete abolition of the State. The Communist International considers the dictatorship of the proletariat as the only means for the liberation of humanity from the horrors of capitalism. The Communist International considers the Soviet form of government as the historically evolved form of this dictatorship of the proletariat.

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The Communist International is aware that for the purpose of a speedy achievement of victory the International Association of Workers, which is struggling for the abolition of capitalism and the establishment of Communism, should possess a firm and centralized organization. To all intents and purposes the Communist International should represent a single universal Communist Party, of which the parties operating in every country form individual sections. The organized apparatus of the Communist International is to secure to the toilers of every country the possibility at any given moment of obtaining the maximum of aid from the organized workers of the other countries.

For this purpose the Communist International confirms the following items of its statutes:

§ 1. The new International Association of Workers is established for the purpose of organizing common activity of the workers of various countries who are striving towards a single aim: the overthrow of capitalism; the establishment of the dictatorship of the proletariat and of the International Soviet Republic; the complete abolition of classes, and the realization of socialism—the first step of Communist Society.

§ 2. The new International Association of Workers has been given the name of The Communist International.

§ 3. All the parties and organizations comprising the Communist International bear the name of the Communist party of the given country (section of the Communist International).

§ 4. The World Congress of all parties and organizations which form part of the Communist International, is the supreme organ of this International. The World Congress confirms the programmes of the various parties comprising the Communist International. The World Congress discusses and decides the more important questions of programme and tactics, which are connected with the activity of the Communist International. The number of decisive votes at the World Congress for every party and organization is determined by a special regulation of the Congress; it is found necessary to strive for a speedy establishment of a standard of representation on the basis of the actual number of the members of the organization and the real influence of the party in question.

§ 5. The World Congress elects an Executive Committee of the Communist International which serves as the leading organ of the Communist International in the interval between the convention of World Congresses, and is responsible only to the World Congress.

§ 6. The residence of the Executive Committee of the Communist International is every time decided at the World Congress of the Communist International.

§ 7. A Special World Congress of the Communist International may be convened either by regulation of the Executive Committee, or at the demand of one-half of the number of the parties which were part of the Communist International at the last World Congress.

§ 8. The chief bulk of the work and greatest responsibility in the Executive Committee of the Communist International lie with the party of that country where, in keeping with the regulation of the World Congress, the Executive Committee finds its residence at the time. The party of the country in question sends to the Executive Committee not less than five members with a decisive vote. In addition to this, one representative with a decisive vote is sent to the Communist International from ten or twelve of the largest communist parties. The list of these representatives is to be confirmed by the Universal Congress of the Communist International. The remaining parties and organizations forming part of the Communist International enjoy the right of sending to the Executive Committee one representative each with a consultative vote.

§ 9. The Executive Committee is the leading organ of the Communist International between the conventions; the Executive Committee publishes in no less than four languages the central organ of the Communist International (the periodical "The Communist International"). The Executive Committee makes the necessary appeals on behalf of the Communist International, and issues instructions obligatory on all the parties and organizations which form part of the Communist International. The Executive Committee of the Communist International enjoys the right to demand from the affiliated parties the exclusion of groups of members who are guilty of the infringement of international proletarian discipline, as well as the exclusion from the Communist International of parties guilty of the infringement of the regulations of the World Congress. In the event of necessity the Executive Committee organizes in various countries its technical and auxiliary bureaus, which are entirely under the control of the Executive Committee.

§ 10. The Executive Committee of the Communist International enjoys the right to include in its ranks representatives of organizations and parties not accepted in the Communist International, but which are sympathetic towards communism; these are to have a consultative vote only.

§ 11. The organs of all the parties and organizations forming part of the Communist International as well as of those which are recognized sympathizers of the Communist International, are obliged to publish all official regulations of the Communist International and of its Executive Committee.

§ 12. The general state of things in the whole of Europe and of America makes necessary for the communists of the whole world an obligatory formation of illegal communist organizations along with those existing legally. The Executive Committee should take charge of the universal application of this rule.

§ 13. All the most important political relations between the individual parties forming part of the Communist International will generally be carried on through the medium of the Executive Committee of the Communist International. In cases of exigency direct relations will be established, with the provision, however, that the Executive Committee of the Communist International shall be informed of them at the same time.

§ 14. The Trade Unions that have accepted the Communist platform and are united on an international scale under the control of the Executive Committee of the Communist International, form Trade Union Sections of the Communist International. The Communist Trade Unions send their representatives to the World Congresses of the Communist International through the medium of the Communist parties of their respective countries. Trade Union sections of the Communist International delegate a representative with decisive vote to the Executive Committee of the Communist International. The Executive Committee of the Communist International enjoys the right of sending a representative with decisive vote, to the Trade Union section of the Communist International.

§ 15. The International League of Communist Youth is subordinate to the Communist International and its Executive Committee. One representative of the Executive Committee of the International League of Communist Youth with a decisive vote is delegated to the Executive Committee of the Communist International. The Executive Committee of the Communist International, on the other hand, enjoys the right of sending a representative with a decisive vote to the Executive organ of the International League of Youth. Organization relations between the League of Youth and the Communist party are basically defined in every country after the same system.

§ 16. The Executive Committee of the Communist International confirms the International Secretary of the Communist Women's Movement, and organizes a women's section of the Communist International.

§ 17. In case a member of the Communist International goes to another country, he is to have the fraternal support of the local members of the Third International.

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I. THE SUBSTANCE OF THE DICTATORSHIP OF THE PROLETARIAT AND OF THE SOVIET POWER.

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3. Under the circumstances which have been created in the whole world, and especially in the most advanced, most powerful, most enlightened and freest capitalist countries by militarist imperialism—oppression of colonies and weaker nations, the universal imperialist slaughter, the "peace" of Versailles—to admit the idea of a voluntary submission of the capitalists to the will of the majority of the exploited, of a peaceful, reformist passage to Socialism, is not only to give proof of an extreme petty bourgeois stupidity, but it is a direct deception of the workmen, a disguisal of capitalist wage-slavery, a concealment of the truth. This truth is that the bourgeoisie, the most enlightened and democratic portion the bourgeoisie, is even now not stopping at deceit and

crime, at the slaughter of millions of workmen and peasants, in order to retain the right of private ownership over the means of production. Only a violent defeat of the bourgeoisie, the confiscation of its property, the annihilation of the entire bourgeois governmental apparatus, parliamentary, judicial, military, bureaucratic, administrative, municipal, etc., even the individual exile or internment of the most stubborn and dangerous exploiters, the establishment of a strict control over them for the repression of all inevitable attempts at resistance and restoration of capitalist slavery—only such measures will be able to guarantee the complete submission of the whole class of exploiters.

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II. In What Should the Immediate Preparation for Dictatorship of the Proletariat Consist?

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In every organization, union, association—beginning with the proletarian ones at first, and afterwards in all those of the nonproletarian workers and exploited masses (political, professional, military, co-operative, educational, sporting, etc., etc.) must be formed groups or nuclei of Communists—mostly open ones, but also secret ones which become necessary in each case when the arrest or exile of their members or the dispersal of their organization is threatened; and these nuclei, in close contact with one another and with the central Party, exchanging experiences, carrying on the work of propaganda, campaign, organization, adapting themselves to all the branches of social life, to all the various forms and subdivisions of the working masses, must systematically train themselves, the Party, the class, and the masses by such multiform work.

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For all countries, even for most free "legal" and "peaceful" ones in the sense of a lesser acuteness in the class struggle, the period has arrived, when it has become absolutely necessary for every Communist party to join systematically lawful and unlawful work, lawful and unlawful organization.

In the most enlightened and free countries, with a most "solid" bourgeois-democratic regime, the governments are systematically recurring, in spite of their false and hypocritical assurances, to the method of keeping secret lists of Communists; to endless violations of their constitutions for the semi-secret support of White Guards and the murder of Communists in all countries; to secret preparations for the arrest of Communists; the introduction of provocateurs among the Communists, etc. Only the most reactionary petty bourgeoisie, by whatever high-sounding "democratic" or pacifist phrases it might disguise its ideas, can dispute this fact or the necessary conclusion; an immediate formation by all lawful Communist parties of unlawful organizations for systematic unlawful work, for their complete preparation at any moment to thwart any steps on the part of the bourgeoisie. It is especially necessary to carry on unlawful work in the army, navy, and police, as, after the imperialist slaughter, all the governments in the world are becoming afraid of the national armies, open to all peasants and workingmen, and they are setting up in secret all kinds of select military organizations recruited from the bourgeoisie and especially provided with improved technical equipment.

On the other hand, it is also necessary, in all cases without exception, not to limit oneself to unlawful work, but to carry on also lawful work overcoming all difficulties, founding a lawful press and lawful organizations under the most diverse, and in case of need, frequently changing names. This is now being done by the illegal Communist parties in Finland, in part in Germany, Poland, Latvia, etc. It is thus that the I. W. W. in America should act, as well as all the lawful Communist parties at present, in case prosecutors start prosecutions on the basis of resolutions of the congresses of the Communist International, etc.

The absolute necessity of the principle of unlawful and lawful work is determined not only by the total aggregate of all the peculiarities of the given moment, on the very eve of a proletarian dictatorship, but by the necessity of proving to the bourgeoisie, that there is not and can not be any branch of the work of which the Communists have not possessed themselves, and still more by the fact that everywhere there are still wide circles of the proletariat and greater ones of the non-proletarian workers and exploited masses, which still trust in the bourgeois democracy, the discussion of which is our most important duty.

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For the struggle against this state of things the Communist parties must create a new type of periodical press for extensive circulation among the workmen:

1) Lawful publications, in which the Communists without calling themselves such and without mentioning their connection with the party, learn to utilize the slightest liberty allowed by the laws, as the Bolsheviks did at the "time of the Tsar," after 1905.

2) Illegal sheets, although of the smallest dimensions and irregularly published, but reproduced in most of the printing offices by the workingmen (in secret, or if the movement has grown stronger, by means of a revolutionary seizure of the printing offices) giving the proletariat undiluted revolutionary information and the revolutionary mottoes.

Without a Communist press the preparation for the dictatorship of the proletariat is impossible.

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CONDITIONS OF ADMISSION TO THE COMMUNIST INTERNATIONAL

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The Second Congress of the Communist International rules that the conditions for joining the Communist International shall be as follows:

1. The general propaganda and agitation should bear a really Communist character, and should correspond to the programme and decisions of the Third International. The

entire party press should be edited by reliable Communists who have proved their loyalty to the cause of the proletarian revolution. The dictatorship of the proletariat should not be spoken of simply as a current hackneyed formula, it should be advocated in such a way that its necessity should be apparent to every rank-and-file working man and woman, to each soldier and peasant, and should emanate from everyday facts systematically recorded by our press day by day.

All periodicals and other publications, as well as all party publications and editions, are subject to the control of the presidium of the party, independently of whether the party is legal or illegal. The editors should in no way be given an opportunity to abuse their autonomy and carry on a policy not fully corresponding to the policy of the party .

Wherever the followers of the Third International have access, and whatever means of propaganda are at their disposal, whether the columns of newspapers, popular meetings, labor unions or co-operatives,—it is indispensable for them not only to denounce the bourgeoisie, but also its assistants and agents—reformists of every color and shade.

2. Every organization desiring to join the Communist International shall be bound systematically and regularly to remove from all the responsible posts in the labor movement (Party organizations, editors, labor unions, parliamentary factions, co-operatives, municipalities, etc.), all reformists and followers of the "centre," and to have them replaced by Communists, even at the cost of replacing at the beginning "experienced" men by rank-and-file working men.

3. The class struggle in almost every country of Europe and America is entering the phase of civil war. Under such conditions the Communists can have no confidence in bourgeois laws. They should create everywhere a parallel illegal apparatus, which at the decisive moment should do its duty by the party, and in every way possible assist the revolution. In every country where, in consequence of martial law or of other exceptional laws, the Communists are unable to carry on their work lawfully, a combination of lawful and unlawful work is absolutely necessary.

4. A persistent and systematic propaganda and agitation is necessary in the army, where Communist groups should be formed in every military organization. Wherever, owing to repressive legislation, agitation becomes impossible, it is necessary to carry on such agitation illegally. But refusal to carry on or participate in such work should be considered equal to treason to the revolutionary cause, and incompatible with affiliation with the Third International.

5. A systematic and regular propaganda is necessary in the rural districts. The working class can gain no victory unless it possesses the sympathy and support of at least part of the rural workers and of the poor peasants, and unless other sections of the population are equally utilized. Communist work in the rural districts is acquiring a predominant importance during the present period. It should be carried on through Communist workingmen of both city and country who have connections with the rural districts. To refuse to do this work, or to transfer such work to untrustworthy half reformists, is equal to renouncing the proletarian revolution.

6. Every party desirous of affiliating with the Third International should renounce not only avowed social patriotism, but also the falsehood and the hypocrisy of social pacifism; it should systematically demonstrate to the workers that without a revolutionary overthrow of capitalism no international arbitration, no talk of disarmament, no democratic reorganization of the League of Nations will be capable of saving mankind from new Imperialist wars.

7. Parties desirous of joining the Communist International must recognize the necessity of a complete and absolute rupture with reformism and the policy of the "centrists," and must advocate this rupture amongst the widest circles of the party membership, without which condition a consistent Communist policy is impossible. The Communist International demands unconditionally and peremptorily that such rupture be brought about with the least possible delay. The Communist International cannot reconcile itself

to the fact that such avowed reformists as for instance Turati, Modigliani, Kautsky, Hillquit, Longuet, Macdonald and others should be entitled to consider themselves members of the Third International. This would make the Third International resemble the Second International.

8. In the Colonial question and that of the oppressed nationalities there is necessary an especially distinct and clear line of conduct of the parties of countries where the bourgeoisie possesses such colonies or oppresses other nationalities. Every party desirous of belonging to the Third International should be bound to denounce without any reserve all the methods of "its own" Imperialists in the colonies, supporting not only in words but practically a movement of liberation in the colonies. It should demand the expulsion of its own Imperialists from such colonies, and cultivate among the workingmen of its own country a truly fraternal attitude towards the working population of the colonies and oppressed nationalities, and carry on a systematic agitation in its own army against every kind of oppression of the colonial population.

9. Every party desirous of belonging to the Communist International should be bound to carry on systematic and persistent Communist work in the labor unions, co-operatives and other labor organizations of the masses. It is necessary to form Communist groups within the organizations, which by persistent and lasting work should win over labor unions to Communism. These groups should constantly denounce the treachery of the social patriots and of the fluctuations of the "centre." These Communist groups should be completely subordinated to the party in general.

10. Any party belonging to the Communist International is bound to carry on a stubborn struggle against the Amsterdam "International" of the yellow labor unions. It should propagate insistently amongst the organized workers the necessity of a rupture with the yellow Amsterdam International. It should support by all means in its power the International Unification of Red Labor Unions, adhering to the Communist International, which is now beginning.

11. Parties desirous of joining the Third International shall be bound to inspect the personnel of their parliamentary factions, to remove all unreliable elements therefrom, to control such factions, not only verbally but in reality, to subordinate them to the Central Committee of the party, and to demand from each proletarian Communist that he devote his entire activity to the interests of real revolutionary propaganda.

12. All parties belonging to the Communist International should be formed on the basis of the principle of democratic centralization. At the present time of acute civil war the Communist Party will be able fully to do its duty only when it is organized in a sufficiently thorough way, when it possesses an iron discipline, and when its party centre enjoys the confidence of the members of the party, who are to endow this centre with complete power, authority and ample rights.

13. The Communist parties of those countries where the Communist activity is legal, should make a clearance of their members from time to time, as well as those of the party organizations, in order systematically to free the party from the petty bourgeois elements which penetrate into it.

14. Each party desirous of affiliating with the Communist International should be obliged to render every possible assistance to the Soviet Republics in their struggle against all counter-revolutionary forces. The Communist parties should carry on a precise and definite propaganda to induce the workers to refuse to transport any kind of military equipment intended for fighting against the Soviet Republics, and should also by legal or illegal means carry on a propaganda amongst the troops sent against the workers' republics, etc.

15. All those parties which up to the present moment have stood upon the old social and democratic programmes should, within the shortest time possible, draw up a new Communist programme in conformity with the special conditions of their country, and in accordance with the resolutions of the Communist International. As a rule, the programme of each party belonging to the Communist Interna-

tional should be confirmed by the next congress of the Communist International or its Executive Committee. In the event of the failure of the programme of any party being confirmed by the Executive Committee of the Communist International, the said party shall be entitled to appeal to the Congress of the Communist International.

16. All the resolutions of the congresses of the Communist International, as well as the resolutions of the Executive Committee are binding for all parties joining the Communist International. The Communist International, operating under the conditions of most acute civil warfare, should be centralized in a better manner than the Second International. At the same time, the Communist International and the Executive Committee are naturally bound in every form of their activity to consider the variety of conditions under which the different parties have to work and struggle, and generally binding resolutions should be passed only on such questions upon which such resolutions are possible.

17. In connection with the above, all parties desiring to join the Communist International should alter their name. Each party desirous of joining the Communist International should bear the following name: Communist Party of such and such a country, section of the Third Communist International. The question of the renaming of a party is not only a formal one, but is a political question of great importance. The Communist International has declared a decisive war against the entire bourgeoisie world, and all the yellow Social Democratic parties. It is indispensable that every rank-and-file worker should be able clearly to distinguish between the Communist parties and the old official "Social Democratic" or "Socialist" parties, which have betrayed the cause of the working class.

18. All the leading organs of the press of every party are bound to publish all the most important documents of the Executive Committee of the Communist International.

19. All those parties which have joined the Communist International, as well as those which have expressed a desire

to do so, are obliged in as short a space of time as possible, and in no case later than four months after the Second Congress of the Communist International, to convene an Extraordinary Congress in order to discuss these conditions. In addition to this, the Central Committees of these parties should take care to acquaint all the local organizations with the regulations of the Second Congress.

20. All those parties which at the present time are willing to join the Third International, but have so far not changed their tactics in any radical manner, should, prior to their joining the Third International, take care that not less than two-thirds of their committee members and of all their central institutions should be composed of comrades who have made an open and definite declaration prior to the convening of the Second Congress, as to their desire that the party should affiliate with the Third International. Exclusions are permitted only with the confirmation of the Executive Committee of the Third International. The Executive Committee of the Communist International has the right to make an exception also for the representatives of the "centre" as mentioned in paragraph 7.

21. Those members of the party who reject the conditions and the theses of the Third International, are liable to be excluded from the party.

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THE TRADE UNION MOVEMENT, FACTORY COMMITTEES, AND THE THIRD INTERNATIONAL.

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Consequently, the Communists must strive to create as far as possible complete unity between the trade unions and the Communist party, and to subordinate the unions to the practical leadership of the Party, as the advance guard of the workers' revolutions. For this purpose the Communists should have Communist factions in all the trade unions and factory committees, and acquire by their means an influence over the labor movement and direct it.

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THESES ON THE NATIONAL AND COLONIAL QUESTIONS.
A.) THESES.

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The political situation of the world at the present time has placed the question of the dictatorship of the proletariat in the foreground, and all the events of world politics are inevitably concentrating around one point, namely, the struggle of the bourgeois world against the Russian Soviet Republic, which is grouping around itself the Soviet movements of the vanguard of the workers of all countries, and all national liberation movements of the colonial and subject countries, which have been taught by bitter experience that there can be no salvation for them outside of a union with the revolutionary proletariat, and the triumph of the Soviet power over Imperialism.

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It is likewise necessary, first, to explain constantly that only the Soviet regime is able to give the nations real equality, by uniting the proletariat and all the masses of the workers in the struggle against the burgeoisie; second, to support the revolutionary movement among the subject nations (for example, Ireland, American negroes, etc.) and in the colonies.

Petitioner's Exhibit No. 11

The Communist, August 1, 1920

OFFICIAL ORGAN OF THE COMMUNIST PARTY OF AMERICA

PROGRAM OF THE COMMUNIST PARTY OF AMERICA
ADOPTED AT ITS SECOND CONVENTION

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Political and Mass Action.

The Communist Party maintains that the class struggle is essentially a political struggle; that is, to conquer political power, destroy the bourgeois state machinery and establish the dictatorship of the proletariat in the form of a Soviet Government in the transition period from capitalism to Communism.

In those countries in which historical development has furnished the opportunity, the working class has utilized the regime of political democracy for its organization against capitalism. In all countries where the conditions for a proletarian revolution are not yet ripe, the same process will go on. The use of parliamentarism, however, is of secondary importance—for revolutionary propaganda and agitation only.

Petitioner's Exhibit No. 12

THE COMMUNIST NO. 9

OFFICIAL ORGAN OF THE UNITED COMMUNIST PARTY OF AMERICA

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INTERNATIONAL DECIDES U. C. P. AND C. P. MUST UNITE

The following statement appears in the minutes of the Executive Committee of the Communist International:

The first month of the activity of the new Executive Committee of the Communist International, which had been formed on the 7th of August, was almost entirely dedicated to the most immediate problem of the movement, namely, to the consolidation of the Communist parties of every country, the elimination of the opportunist elements from them and the amalgamation of all truly Communist forces.

The sitting of the Executive Committee of the 8th and 10th of August were devoted to the questions of the American and the British movement. With regard to the first question the Executive Committee has decided to amalgamate both the American Communist Parties, the United Communist Party and the Communist Party into a single party.

The United Communist Party welcomes the decision of the Executive Committee of the International. Its policy has been consistently that of seeking to unite all the Communist elements in one organization. It will give all the aid within its power to the Executive Committee of the International to accomplish that end.

Petitioner's Exhibit No. 13

The Communist, Vol. I, No. 1, July

THE COMMUNIST

OFFICIAL ORGAN OF THE UNITED COMMUNIST PARTY OF AMERICA

(SECTION OF THE COMMUNIST INTERNATIONAL)

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PROGRAM OF THE COMMUNIST PARTY OF AMERICA

ADOPTED BY THE JOINT UNITY CONVENTION OF THE COMMUNIST PARTY AND THE UNITED COMMUNIST PARTY OF AMERICA.

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The Communist Party of America, section of the Communist International, defines the aims and processes of the proletarian revolution as follows:

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The proletariat, once having learned the disastrous consequences of "Social-Democratic" bolstering up of the bourgeois State, throws its support to the Communists. Under pressure of the economic chaos, and led by the Communist Party, the proletariat forms its organs of working class power entirely separate and distinct from the bourgeois State. These organs are the Workers' Soviets (councils) which arise at the moment of the revolutionary outbreak and attain a dominant position, during the course of the revolution.

By the use of force, the proletariat destroys the machinery of the bourgeois State and establishes the proletarian dictatorship based on Soviet power.

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In order to overthrow the international bourgeoisie and to create an International Soviet Republic as a transition stage to the Communist Society, the Communist International will use all means at its disposal, including force of arms.

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2. GREETINGS TO THE THIRD WORLD CONGRESS OF THE COMMUNIST INTERNATIONAL.

The delegates of the Communist Party of America and the United Communist Party of America, in joint Unity Convention, send fraternal greetings to the Third World Congress of the Communist International. In the name of the revolutionary proletariat of America, we affirm our determination to fight under the banner of the Communist International for the overthrow of American imperialism and for the establishment of the proletarian dictatorship. Hail to the International Soviet Republic! Long live the Communist International!

3. GREETINGS TO THE SOVIET REPUBLIC.

The delegates of the Communist Party of America and the United Communist Party of America, assembled in joint Unity Convention, send fraternal greetings to the revolutionary proletariat and peasantry of Soviet Russia and to its vanguard, the Russian Communist Party.

The unified party, the Communist Party of America, declares that it will render all possible assistance to the Russian Soviet Republic in its struggle against the counter-revolutionary bands of the world imperialism. The Communist Party of America declares that only by the overthrow of world imperialism will the safety and mastery of the Soviet Republic over its enemies be definitely assured. The

Communist Party of America pledges itself to rally the revolutionary proletariat of America for the annihilation of the most formidable stronghold of world imperialism: the American capitalist state, and to struggle for the establishment of the proletarian dictatorship. Down with world imperialism! Hail to the universal Soviet Republic! Long live the international solidarity of the workers!

4. TO THE THIRD WORLD CONGRESS OF THE COMMUNIST INTERNATIONAL.

The Unity Convention of the Communist of America and the United Communist Party of America fully upholds and endorses the firm and uncompromising stand of the Executive Committee of the Communist International against the opportunistic and centrist elements in various countries—in Italy (Serrati), and in Germany (Levi). The convention instructs its delegates to the third world congress to uphold and defend the stand of the Executive Committee of the Communist International.

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CONSTITUTION OF THE COMMUNIST PARTY OF AMERICA

(ADOPTED AT THE JOINT UNITY CONVENTION OF THE UNITED COMMUNIST PARTY AND THE COMMUNIST PARTY OF AMERICA.)

Article I. Name, Purpose and Emblem.

Section 1. The name of this organization shall be the Communist Party of America, Section of the Communist International.

Section 2. The Communist Party of America is the vanguard of the working class, namely, its most advanced class conscious and therefore its most revolutionary part. Its purpose is to educate, direct and lead the working class of America for the conquest of political power; to destroy the bourgeois state machinery; to establish the Dictatorship of the Proletariat in the form of Soviet power; to abolish the capitalist system and to introduce the Communist Society.

Section 3. The emblem of the Party shall be the crossed hammer and sickle between sheaves of wheat and within a double circle. Below the hammer and sickle the words "All power to the workers." In the circular margin the words "Communist Party of America—Section of the Communist International."

Petitioner's Exhibit No. 23

The Daily Worker, New York, Friday, September 2, 1927

"THE FUTURE BELONGS TO THE COMMUNIST PARTY", SAYS GREETING OF THE COMMUNIST INTERNATIONAL

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In the country of the most powerful imperialism and a most brutal capitalist class the Communist Party can fulfill its duty and can become the leader of the working class against imperialism and capitalist aggression only if it is united and if it is not torn to pieces by factional struggle.

The Comintern considers as one of the central tasks of the Party the extermination of all factionalism and the unification organizationally as well as ideologically. It will be the duty of the newly elected Central Executive Committee to lead the Party in a non-factional spirit and it will be the duty of the whole Party membership to rally around the Central Executive Committee which it itself shall have chosen.

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PRESIDIUM,

Executive Committee of the Communist International.

Petitioner's Exhibit No. 24

The Daily Worker, September 6, 1927

WORKERS COMMUNIST PARTY CABLES REPLY TO COMMUNIST INTERNATIONAL TO GREETING TO FIFTH CONVENTION

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"The Fifth Convention of the Workers (Communist) Party greets the international leader of the working class, the Communist International. Under its leadership and with our own firm and unanimous determination to unify our Party, we will overcome the tremendous difficulties in the path of building a mass Communist Party in America. The Convention recognizes fully as Party's task the winning of the American proletariat for the revolutionary struggle against American imperialism.

"In the execution of this task we are inspired and guided by the principles of Marxism and Leninism, by the experiences of the victorious struggles of the Russian proletariat and the heroic battles of the exploited and oppressed masses of Europe and Asia. The Convention and the incoming Central Executive Committee pledge themselves speedily to eliminate all remnants of factionalism and to unify the Party as a prerequisite for the further success of our work.

"We pledge the unification of our Party and to fight more effectively for the defense of the Soviet Union and the Chinese revolution and against the war danger as well as to resist more effectively the offensive of the capitalist reaction and the reactionary trade union bureaucracy against our Party and the militant section of the American working class.

"The Convention is spurred by a full consciousness of its duty to recruit the toiling masses of America for relentless struggle against American imperialism.

"Long Live the Soviet Union!

"Long Live the Communist International!

"Fifth National Convention,
"Workers (Communist) Party."

Petitioner's Exhibit No. 28A

Daily Worker, March 5, 1929

PARTY CONVENTION GREETS COMINTERN

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We greet our Communist International leadership and pledge our Convention and our Party to prepare itself, to strengthen itself, to clarify itself, for its share of this task. It will close its ranks, it will cleanse its ideology from the poison of opportunism, it will defeat Trotskyism, it will mobilize against and lead the American proletariat for the struggle against the imperialist war; it will mobilize the American workers for the defense of our Soviet Union and for the final defeat of American imperialism by the revolutionary overthrow of American capitalist rule.

Long Live Leninism!

Long Live the Communist International!

Petitioner's Exhibit No. 31

MANIFESTO
OF THE
COMMUNIST PARTY
BY
KARL MARX AND FRIEDRICH ENGELS

Authorized English Translation

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PREFACE

BY FRIEDRICH ENGELS

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The *Manifesto* being our joint production, I consider myself bound to state that the fundamental proposition which forms its nucleus, belongs to Marx. That proposition is: That in every historical epoch, the prevailing mode of economic production and exchange, and the social organization necessarily following from it, form the basis upon which is built up, and from which alone can be explained, the political and intellectual history of that epoch; that consequently the whole history of mankind (since the dissolution of primitive tribal society, holding land in common ownership) has been a history of class struggles, contests between exploiting and exploited, ruling and oppressed classes; that the history of these class struggles form a series of evolutions in which, nowadays, a stage has been reached where the exploited and oppressed class—the proletariat—cannot attain its emancipation from the sway of the exploiting and ruling class—the bourgeoisie—without at the same time, and once and for all, emancipating society at large from all exploitation, oppression, class distinctions and class struggles.

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Bourgeois and Proletarians

The history of all hitherto existing society is the history of class struggles.

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Society as a whole is more and more splitting up into two great hostile camps, into two great classes directly facing each other—bourgeoisie and proletariat.

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The bourgeoisie has played a most revolutionary role in history.

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This organisation of the proletarians into a class, and consequently into a political party, is continually being upset again by the competition between the workers themselves. But it ever rises up again, stronger, firmer, mightier. It compels legislative recognition of particular interests of the workers, by taking advantage of the divisions among the bourgeoisie itself.

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Of all the classes that stand face to face with the bourgeoisie today, the proletariat alone is a really revolutionary class.

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PROLETARIANS AND COMMUNISTS

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The immediate aim of the Communists is the same as that of all the other proletarian parties: Formation of the proletariat into a class, overthrow of bourgeois supremacy, conquest of political power by the proletariat.

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We have seen above, that the first step in the revolution by the working class, is to raise the proletariat to the position of ruling class, to establish democracy.

The proletariat will use its political supremacy to wrest, by degrees, all capital from the bourgeoisie, to centralise all instruments of production in the hands of the state, *i.e.*, of the proletariat organised as the ruling class; and to increase the total of productive forces as rapidly as possible.

Of course, in the beginning, this cannot be effected except by means of despotic inroads on the rights of property, and on the conditions of bourgeois production; by means of measures, therefore, which appear economically insufficient and untenable, but which, in the course of the movement, outstrip themselves, necessitate further inroads upon the old social order, and are unavoidable as a means of entirely revolutionising the mode of production.

These measures will of course be different in different countries.

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POSITION OF THE COMMUNISTS IN RELATION TO THE VARIOUS EXISTING OPPOSITION PARTIES

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The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions. Let the ruling classes tremble at a Communist revolution. The proletarians have nothing to lose but their chains. They have a world to win.

Workingmen of all countries, unite!

Petitioner's Exhibit No. 32A-B

The Daily Worker, July 12, 1924

RUTHENBERG AND FOSTER ELECTED TO COMINTERN

Dunne Represents U. S. Party In Moscow

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Dunne will officially represent the party at the Communist International headquarters during the coming year. Foster, Workers Party candidate for President of the United States, and Ruthenberg, party secretary, will remain in America. Dunne's experience in the trade union movement is expected to be of great use to the international movement. The trade union question has assumed tremendous importance in key countries which may fall into line with Soviet Russia by setting up workers' and farmers' governments in the near future.

In Germany, especially, the question of Communist policy in the trade unions has become most vital. There the Communist International is directing the workers to stay within yellow unions wherever it is possible in order that the radicals who must lead the revolution may not be divided from their fellows.

Only Revolutionary Force.

The Communist International is going into the next year of struggle against the international capitalists with a confidence that comes from strength and from a knowledge of revolutionary tactics based on the party's experience in the last years. It is the one internationally revolutionary force, organised to overcome the common enemy.

Petitioner's Exhibit No. 39

REPORT OF THE WORKERS COMMUNIST PARTY OF AMERICA

1. Economic Situation.

The year 1925 was a year of tremendous production, showing substantial increases over 1924. The production of coal in 1925 was 517 million tons as compared with 508 million tons in 1924; of steel 44½ million tons as compared with 37½ million tons. For the first eleven months of 1925 new building construction totalled 5¼ billion dollars, which is 19% more than the entire year of 1924. The production of automobiles for 1925 reached the record figure of 4¾ million, which is 20% higher than in 1924. Imports for 1925 totalled over 4 billions, as compared with 3 billions in 1924. Exports in 1925 revealed approximately 4½ billions, as against 3½ billions in 1924. For the first 10 months of 1923 the total capital flotations amounted to almost 5 billions, as against 4¾ billions for the whole year of 1924. The capital export for the first 11 months of 1925 was approximately 1 billion dollars, reaching the same high record as 1924, which included the big loans based upon the Dawes plan.

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Amongst the farmers the situation is becoming critical, especially in the West. In Iowa, a typical grain growing state, reports come of acute distress among the farmers. The prices for corn received by the farmers has dropped

50% in the past 33 months, which is less than the cost of production. Prices of all other agricultural products in the grain growing districts are also declining, thus impoverishing the farmers and throwing them more than ever into the clutches of the banks. Signs of the agricultural crisis are multiplying. Many banks have failed in the West.

During the past year real wages of American workers have fallen. Wage rates on the average have remained almost stationary, with a few favored categories of skilled workers securing increases, with the unskilled in several industries suffering decreases. The cost of living is rising.

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2. Political Situation

The American situation is marked by more open and frank domination of the Government by big capital and the intensification of the imperialist spirit and policies.

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The agricultural crisis is producing renewed political activity among the farming masses. This is evidenced by the revival of the farm bloc in congress by pressure from below, the defeat of reactionaries in the farmers' organizations who support the Coolidge policies, increases activities among farmers' organizations generally and intensification of the struggle between the poor and rich farmers in these organizations.

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Among the lower ranks of the farmers in the West, among their more conscious elements, there is evidence of increased activity for the formation of Farmer Labor parties, and for the revival of various La Follette groups. In such movements the more conscious elements among the farmers seek alliances with the workers and the urban petty bourgeois elements who feel the pressure of the trusts. With the approach of the congressional elections in the latter part of this year these movements will take on more concrete and definite forms.

The workers, not yet fully recovered from the effects of the defeats in the big strikes of 1919-23 and in the La Follette movements of 1924, have not displayed great activity during this period upon either the economic or political field. It has been a period of comparatively few strikes, in spite of the high rate of production, increases in living costs, and the failure of wages to rise accordingly. Small strikes against wage cuts and for wage increases have occurred in the building, textile, clothing, marine transport industries. The most important struggle is that of the 158,000 anthracite coal miners for increases in wages and the right to organize, which has been on since September 1st. The bituminous miners, whose union is being cut to pieces are preparing to submit demands and will find themselves in a life and death struggle with the employers in the coming summer. Certain skilled categories of railroad workers are also submitting demands. In the clothing trades the failure of the bureaucracy to lead the workers in the struggle against the employers is the central cause for the upheaval which is rapidly bringing all the unions in this industry, totaling 300,000 organized workers, under the leadership of the left wing.

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3. THE TRADE UNIONS.

The American trade unions are taking a new orientation towards a more intensified and elaborated class collaboration with the employers in the fields of the industries finance, domestic politics, and international relations. The economic and political bases of this new orientation is found in the fact that the American imperialists in their aggressive fight for world domination, feel the double need for cheaper production and peaceful relations with labor and that American capitalism, tremendously enriched by the extra profits of its imperial exploitation, is willing and able to buy off certain sections of the trade union bureaucracy and of the labor aristocracy.

In the industries the employers, departing from their traditional policy of crushing all organization among their workers, are now organizing "company" unions. These organizations, which are entirely under the control of the employers are formed for the double purpose of increasing the workers' productive efficiency and for blocking the growth of class consciousness and organization among them.

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5. OTHER GROUPINGS AND PARTIES

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The Progressive Party, headed by William B. Johnston of the Machinists Union, was an outgrowth of the La Follette campaign. It is a petty bourgeois organization based on individual membership, but so loosely constructed as to provide for collective affiliations of farmer labor parties, trade unions, non-partisan trade union committees, etc. The trade union wing of this party also control the Conference for Progressive Political Action, which is a loose political organization of national, state, and local trade union unions, whose official policy is non-partisan. The political programs of the Progressive party and the Conference for Progressive Political Action are identical. They provide for moderate reforms for labor and the farmers. The Socialist party functions practically as its left wing. This group of Progressive party and Conference for Progressive Political Action will rally considerable masses in the coming elections.

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6. THE POLICIES AND ACTIVITIES OF THE WORKERS COMMUNIST PARTY.

The last Plenum of the ECCI outlined for our party the following main lines of policy, 1, the Bolshevization of our party, with special emphasis upon the struggle against Loreism (the right wing), the centralization of the party apparatus and the re-organization of the party upon the basis of shop nuclei, 2, a more intensive participation in the trade union and specifically the building of party trade union fractions and the building and strengthening of the Trade Union Educational League, a special letter jointly signed by the Comintern and Profintern being addressed to our party on the trade union work, 3, the Plenum corrected the mistakes of both the leading party groups (Foster and Ruthenberg groups) on the labor party question, 4, a more systematic application of the united front policy with special emphasis on the need of formulating united front programs on the basis of immediate burning needs of the masses. The Workers Communist Party convention, held at the end of August, adopted a series of resolution outlining the ways and means of putting these policies into effect.

a) *Bolshevization.* The Plenum decision stated that Loreism is a right wing deviation from Leninism and that such an opportunist as Lore had no place on the Central Executive Committee of the Workers Communist Party or as editor of a Communist paper. Consequently, immediately upon the return of the delegation, the Central Committee had a special enlarged session and removed Lore from the editorship of the *Volks-Zeitung.* Between then and the Party convention Lore's attitude was one of hostility and resistance, with the result that at the party convention he was unanimously expelled from the party. With him went the *Volks-Zeitung* and the extreme right wing of the small German Federation. The condemnation of Lore by the ECCI and his expulsion from the party demoralized the right wing. Comrade Askelli of the Finnish Federation attempted to re-mobilize the right wing against the Central Executive Committee, but he was first ideologically defeated and then removed from the editorship of the Finnish paper *Tyomies.* This culmination of the previous campaign of the CEC against Lore stripped him of the bulk of his followers. Since his expulsion, Lore has carried on a guerilla warfare against the party and the Comintern, attempting to bring together the scattered two and a half international elements both within and without the party. This struggle against Loreism has distinctly improved the Bolshevik tone of the party.

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b) *Trade Union Work.* At the party convention, in accordance with the Plenum decision, a resolution on trade union work was unanimously adopted, pointing out the following main tasks of the party in the trade unions:

1. The revolutionizing of the existing unions through strengthening and organizing the left wing in the unions by bringing all the proletarian elements of the party into the unions, by the organization of trade union fractions, the building up of the TUEL and the stimulation of the organization of the progressive opposition bloc.
2. The organization of the unorganized by the strengthening of the existing organizations, the creation of new unions in industries where none exist, the building of shop committees, and the utilization of the shop nuclei as points for inaugurating campaigns to organize the unorganized.
3. The unification of the trade union movement by the stimulation of the campaign to amalgamate the craft unions into industrial organizations.

Since the convention the Central Executive Committee has departed radically from this policy, which is also that of the Comintern and Profintern, and has developed the policy of liquidating the broad left wing organized in and around the TUEL and substituting in its place Communist fractions. Although stating that the proposed policy will not be put into effect until the Comintern and Profintern have passed upon it, the CEC is actually applying it at the present time. The first phase of the policy is an active campaign to discredit all the leading figures in the TUEL as disloyal to the Comintern. This is accompanied by the removal of leading TUEL comrades from responsible positions and the hamstringing and isolation of others who are not actually removed, in an attempt to cripple their activities. Finally the TUEL organization itself is being dismantled by the substitution of fractions for the TUEL machinery, by the refusal to permit the TUEL to send delegates to various important conventions, by refusing to support the activities of the TUEL, and by carrying on a widespread propaganda that the TUEL must be dissolved.

This big issue in the life of our party is now before the Communist International for a decision.

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f) *Work Among the Negroes.* The fourth convention of our party unanimously adopted a resolution on the Negro question. The resolution deals with the race problem of the Negro race as a whole and with the special conditions of the Negro proletariat as part of the working class.

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g) *Work Among Women.* The resolution of the fourth party convention on women's work, which was unanimously adopted, clarified this problem for our party, correcting errors of both leading groups and laying the basis for Communist mass organization and activity among working women in America.

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l) *Anti-Imperialist Work.* The Workers Communist Party is rapidly awakening to the necessity for a militant struggle against American imperialism on all fronts.

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m) *Party Program of Action.*

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To bring unity in the party, the Comintern, after the last Plenum of ECCI, sent a representative, Comrade Green, to the United States. In accordance with the decision of the Plenum, he organized a parity commission to regulate the differences and to organize the party convention. This consisted of three members from each of the two leading groups, with Comrade Green as Chairman. The Parity commission settled all the vexed organization questions by unanimous agreement. It also adopted, by unanimous agreement, 13 resolutions for the convention on the main political and organizational tasks of the party, and it worked out and controlled all the organizational arrangements for the convention.

The elections in the lower party units gave a strong majority to the Foster group. Consequently Comrade Green called the parity commission together 10 days before the opening of the convention and brought about an agreement on the composition of the incoming Central Executive Committee in order to still the factional struggle in the party. This agreement, which was signed by Comrade Green and all the representatives of both leading groups, provided for a majority of 13 for the Foster group and a minority of 8 for the Ruthenberg group in the new Central Executive Committee.

When the convention assembled and the delegates were all seated, the Foster group had a majority of 40 to 21. Just before the convention ended a cablegram unexpectedly arrived from the ECCI sharply criticising the Foster group. Although the cabled decision did not specifically remove the Foster group from the majority of the Central Executive Committee of the party, the delicate situation in the party, made it impossible for this group to take a majority of the Central Executive Committee. The whole matter is now before the ECCI for adjustment.

With Communist Greetings

WM. Z. FOSTER
ALEX. BITTELMAN

Moscow, January 18th, 1926.

Petitioner's Exhibit No. 40

(CI Decision)

April 15, 1926

To all DISTRICT, CITY, SECTION COMMITTEES
and LANGUAGE PROPAGANDA BUREAUS.

Dear Comrades:—

You will find enclosed herewith the resolution adopted by the enlarged Executive Committee of the Communist International on the situation in our Party and the main tasks of the Party.

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Fraternally yours,

C. E. Ruthenberg
General Secretary.

Resolution on the American Question Adopted by the Enlarged Executive Committee of the Communist International.

1. The Enlarged Plenum of the Executive Committee of the Comintern attaches specially great importance to the question of the creation of a real proletarian mass party in America. The hegemony of the imperialists of the United States of North America throughout the world renders the work of the American Communists an important and singularly responsible one. The Communist Party of America is called upon to play a tremendous role, and in many respects even a DECISIVE role. For that reason alone all the Sections of the Comintern and the Comintern as a whole, will attentively follow the activity of the American Section and support it in every possible way.

2. At the same time, the Enlarged Plenum of the Executive Committee of the Comintern realises clearly the tremendous objective difficulties which the development of the American Party must overcome during the next period.

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17. Greater attention must be given to the building of a mass Young Communist League and Pioneer movement. In the future the young will serve as a reservoir of trained Party members. The slogan "A League unit wherever a Party unit exists", issued by the CEC is correct and steps should now be taken to carry this into effect. Careful supervision and mutual agreement must be exercised in the transferring of League members into Party work, especially at the present time when the League is numerically weak.

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ORGANIZATIONAL CHANGES

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5) The Political Committee will approve Comrade Browder as the representative of the TUEL in the Profintern. In this capacity, Comrade Browder can participate in the meetings of the Executive and Presidium of the Comintern (without vote).

Signed) C. E. RUTHENBERG
Signed) WM. Z. FOSTER
Signed) C. W. KUUSINEN

Petitioner's Exhibit No. 43

FINAL TEXT.

Endorsed by Presidium of ECCI, July 1st 1927.

RESOLUTION ON THE AMERICAN QUESTION

* * * * * * * * * *

The United States of America, during the last decades, has developed into the mightiest imperialist power.

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The task of the Workers (Communist) Party is to form a broad united front and to intensify the struggle against American imperialism.

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The absolutely necessary struggle against Great Britain's plans to wage war on the Soviet Union and the imperialist intervention in China must therefore always be linked up by the Workers (Communist) Party with the mobilization of the masses for the most energetic fight against the specific role of American imperialism.

In this sense the demonstrations organized by the Party in connection with events in China in front of the British Embassy and Consulates were right and a proper move. But the writer of some of the editorials in the "Daily Worker" (May 7 and 8) deviated from this line of action by minimising the predatory role of American imperialism in China and by representing it one-sidedly only as a tool of British imperialism.

The Workers (Communist) Party must put the question of the recognition of the Soviet Union more energetically in the trade unions and in this way also fight against the pro-imperialist policies of the labour bureaucracy.

In its struggle against American imperialism, the Workers (Communist) Party must not overlook the question of the war and post-war debts of the capitalist states of Europe to the United States. Without getting into the leading strings of the petty-bourgeois politicians and without allotting these questions first place, the Party must actively support the international revolutionary struggles against the whole system of imperialist "peace" treaties, the Dawes Plan, and the finance policies of the imperialists from all of which the question of war debts is inseparable.

The attitude of the Workers (Communist) Party can only be for the cancellation of war debts; naturally not for the cancellation of the INTER-ALLIED debts, but of ALL debts of the last imperialist world war. However, it is not the task of the Workers (Communist) Party to carry on a special, separate struggle under this slogan, but it must combine this question with its general struggle against American imperialism.

ALL THESE questions must be utilised by the Party to rally the broad masses in defence of the Soviet Union and the Chinese Revolution and to sever the masses from the imperialist ideology of the bourgeoisie and the labour bureaucracy. At the same time the Party must understand that in view of its numerical weakness it can act as a centre of attraction for the broad masses only when it has complete unity.

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Those comrades active and influential in the trade unions must be drawn more into active Party work than hitherto and especially into the work of the leading committees thus achieving simultaneously the unification of the leadership of the trade union work by the Party. The entire Party membership must regard the work in the trade unions as the most important task of the Party.

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The Presidium decides:

1) The Party Convention should take place in the end of August 1927 in view of the delay caused by the work of the American Commission.

2) In order to make possible the convention preparations with the least friction there will be formed "a commission for the preparation of the Party Convention" consisting of 6 (six) members with voting rights and 2 candidates (3 of the majority and 3 of the Opposition) under the chairmanship of a neutral comrade. As deputy chairmen of the Commission, Comrades Lovestone and Foster will function. The Commission has the right to arrive at binding decisions on all questions pertaining to the organisational and political preparation of the Party Convention. The Commission will also have the right to arrive at decisions on questions of mandate disputes in connection with the delegates to the Party Convention. The election of delegates for the Party Convention is to be on the proportional representation system.

3) The normalisation and democratisation of the Party life demand that the Party Convention after an objective consideration of all important questions elect a broad Party Executive into which a number of additional proletarian elements should be drawn. For the minority at the Party Convention important representation must be secured both on the Central Committee and in the Political Committee.

4) In order to demonstrate before the whole Party the necessity of collaboration and merger of the existing groups comrades Lovestone and Foster shall function as secretaries of the Party until the Party convention and Comrades Foster and Gitlow shall function as secretaries of the Trade Union Department until the Party convention. Further changes in the composition of the leading bodies (Central Committee and Political Committee) are rejected as inexpedient before the Party Convention. The composition of the Central Executive Committee is left to the decision of the Party Convention. It is recommended to the Party Convention to make a decision that the newly elected Central Committee is to set up immediately a collective Secretariat of three comrades, one of whom should be a representative of the Minority. It is recommended, in any event to elect Comrades Lovestone and Foster as secretaries.

5) The Presidium thinks it advisable that the Party Convention discuss and decide the question of the expediency of transferring the seat of the Central Committee.

Petitioner's Exhibit No. 44

The following paragraph was adopted by the American Sub-Commission of the Presidium with the purpose to be embodied into the agreement of the American comrades as a statement on the policy followed by the ECCI towards the different groups in the American Party:

The Comintern recognizes that in many political questions the Ruthenberg group followed a more correct line in the past than the Foster group. Because of this the Comintern has generally been supporting politically the Ruthenberg group. On the other hand the Comintern had to protect organizationally the Foster group from the Ruthenberg group. Because the Executive had the opinion that the leading group of the majority of the Polcom had not sufficiently understood how to estimate the full significance of the trade union forces in the Party and that Comrade Foster at that time was more correct on many questions of the trade union tactics. The line of the Comintern has been: on the whole for the political support of the Ruthenberg group, and for bringing Foster nearer to the general political line of the Ruthenberg group, at the same time however, following the course towards the correction of the trade union line of the Ruthenberg group on the line of Foster thru closest cooperation in the Party leadership.

Braun
in name of sub-commission

Petitioner's Exhibit No. 47

The Worker, September 8, 1923

Cablegram—"Via Commercial"

Moscou 40 310PM
Ruthenberg 799 Broadway NY

Know no more important task American Workers than establishment militant daily. This should be rallying point for concentration all forces present time. Only after foundation daily will Comintern consider we have real mass party America. Zinoviev.

Petitioner's Exhibit No. 50

MINUTES OF EXECUTIVE COUNCIL

JUNE 27, 1925

Present—Abern Cannon Bittelman Dunne Ruthenberg and Lovestone

Comrade Abern elected chairman

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RESOLUTION ON THE ORGANIZATION OF THE INTERNATIONAL RED AID AND THE INTERNATIONAL WORKERS RELIEF

1. In accordance with the agreement reached with the representatives of the I R A and the I W R in Moscow by our delegates, the Party shall proceed with the organization of these two organizations as separate bodies.

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7. However, the campaigns of the I R A and the I W R shall not be inner Party campaigns. That is, the appeal for financial support shall not primarily be made in the Party ranks but largely to the outside working class groups. Unless we can throw the major part of the weight of collecting funds and securing support of these organizations outside of the Party they do not fulfill their purpose.

8. The CEC shall appoint a sub-committee of three members which will study the details in regard to the organization of both organizations and submit detailed recommendations to the future meetings of the Committee in harmony with the above basic outline.

Petitioner's Exhibit No. 51

MINUTES OF THE SECRETARIAT

JULY 24, 1925.

Present: Foster, Bittelman, Ruthenberg.

Policy in the Machinists' Union

Comrade Foster submitted the following proposals:

1—That the Party issue a manifesto in regard to the actions of the Machinists' Union threatening expulsion of all members of the Workers Party if they do not withdraw within thirty days and that the Trade Union Educational League and the Metal Trades Section follow this up with a similar manifesto.

2—That the Trade Union Educational League members who are members of Machinists' Union deny membership in the Trade Union Educational League.

3—That the known and active Party members acknowledge membership in the Workers Party and that they make a fight for their right to belong to the Party.

4—That those members of the Party who are not known as members of the Party shall sign the statement required denying membership in the organization.

5—That we establish contact with the Anderson organization in the Machinists' Union for the purpose of coming to an understanding in the struggle against the Johnston action.

6—That we introduce resolutions in the Machinists' Union condemning the action of Johnston in issuing the order that all Workers Party members are to be expelled. All points exclusive of Point 4 were adopted unanimously. Action on Point 4 postponed.

The meeting then adjourned.

Fraternally submitted,
C. E. Ruthenberg,
Executive Secretary.

Petitioner's Exhibit No. 53

MINUTES OF POLITBUREAU

September 2, 1925

Present: Comrades Green, Ruthenberg, Lovestone, Bedacht, Foster, Cannon. Candidates—Dunne (Gitlow absent). Comrades Loeb and Engdahl were present during discussion on Daily Worker. Comrades N. H. Tallentire and M. Hansen present during discussion on District 13 situation.

Chairman—Comrade Ruthenberg.

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Immediate Tasks.

Motion by Ruthenberg

1—That we issue a manifesto to the Party calling upon all Party members to mobilize for work for the Party. The factional issues must not disturb the Party work in the future and the following campaigns must be stressed: The Anthracite Campaign, Party Reorganization, Party members join the Trade Unions, Labor Party Campaign.

2—That Comrade Ruthenberg write the manifesto to be approved by the Secretariat.

Motion by Comrade Foster

That the Trade Union Committee be instructed to work up plans to be presented to the Politbureau, for complete mobilization of Party proletarian members into the Trade Unions and the TUEL.

Motion by Comrade Cannon

That support of the International Labor Defense be added in the list of campaigns.

Comrade Cannon reported incidentally that the I L D has undertaken to finance the five I W W cases held for deportation and the I W W Defense Committee has accepted the contributions of the I L D. This serves as another wedge for us into the I W W.

Motions by Lovestone

1—That the Agitprop Department be instructed immediately to prepare a pamphlet containing all the resolutions and decisions proposed to the convention including the statistics on membership and Party growth, similar to the one published for the Third Convention.

2—That the Organization Department be instructed to prepare a pamphlet consisting of the new Party constitution, the instructions for Party reorganization along shop nuclei lines, the Comintern organization letter and the model charts for Party organization given out by the Org Department of the C I.

3—That we publish a pamphlet on the convention dealing with the political significance of the convention, the fight against opportunism, Bolshevization of the Party, and other leading problems of the convention and that Comrade Ruthenberg write this pamphlet.

Petitioner's Exhibit No. 58

Minutes of POLITBUREAU 8 PM October 19, 1925

Present—Ruthenberg, Lovestone, Cannon, Dunne, Bedacht.
Candidates—Minor and Johnstone; Zam for YWL.
Observer—Engdahl.
Chairman—Ruthenberg.

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Comrade Johnstone expressed the view that he would sign his name to the statement also since it expresses the views he has brought forward since he has been a member of the Politbureau. No action taken.

Trade Union Delegation to USSR

Comrade Ruthenberg read a letter from Comrade Foster regarding the delegation to the Soviet Union. Resolution attached calling upon Purcell meetings to endorse the move to send a delegation of trade unionists to USSR.

Motion by Lovestone

1—That we accept the proposal except for the proposition of a public statement and to delete the first two paragraphs and to have the resolution adopted, revised as suggested by Comrades Cannon and Dunne.

Carried unanimously.

Young Workers League.

Letter read from the YWL NEC and supplementary report given by Comrade Zam. Cable from YCI also read, dealing with youth congress held October 1st and the future work of the League. The following action was taken on the concrete propositions:

1—To change the name from the YOUNG WORKERS LEAGUE to YOUNG WORKERS (COMMUNIST) LEAGUE.

Concurred in unanimously.

2—To change the name of the Junior Section of the Young Workers League to YOUNG PIONEERS.

Concurred in unanimously.

3—There should be an exchange of representatives (not necessarily with vote) between all the sub-committees of the CEC of the Party and the NEC of the League.

Concurred in unanimously.

4—In view of the fact that the dues in the League have been raised to 40c per month, we request that the exempt age of Party members who are also League members be advanced to 23 years.

Motion by Ruthenberg

That the exempt age limit remain at 21 years.

Motion by Ruthenberg was carried unanimously thereby defeating No. 4.

5—Request the Party to permit the establishment of Youth Sections in the Labor Herald and the Agricultural paper of the Party.

Carried unanimously.

6—To issue the slogan "A vote for every Young Worker who is eighteen years of age" as a general League slogan in all the election campaigns.

Carried unanimously.

Motion by Zam.
1—With relation to the Soviet Russia campaign we make an appeal of propaganda for the sending of a young workers delegation to Soviet Russia.
2—That a youth block be formed at the ANLC.

Amendment by Lovestone.
To defer action on the youth delegation until after the trade union delegation has been sent.

Amendment carried unanimously.
No objection was raised to point 2 of Zam's motion.

Petitioner's Exhibit No. 59

Minutes of SECRETARIAT October 19, 1927

Present: Lovestone, Gitlow, Cannon and Bittelman for the Labor Party question.

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ILD MATTERS

Comrade Cannon reported that the program of the Conference will be presented to the Secretariat within a week.

Motion by Cannon:

That the National Office instruct all Party papers to turn over their subscription lists for use by the ILD.

Voting: Carried unanimously.

Motion by Cannon:

That all arrangements be authorized for Comrade Cannon's making a tour for two months from coast to coast.

Amendment by Lovestone:

That the tour of Comrade Cannon should cover a total of two months though not continuous.

Voting: Motion as amended carried unanimously.

Comrade Cannon reported on the proposal to tour Powers Hapgood on the Cheswick case.

Motion by Lovestone:

To refer this matter to the Trade Union Committee.

Voting: Carried unanimously.

Comrade Cannon reported regarding his conference with Isaac D. Levine and the latter's break with the Boston Committee.

Motion by Lovestone:

That Comrade Cannon make arrangements to utilize Levine as a speaker and writer for the ILD on a limited scale immediately and then determine the continuation on a larger scale on the basis of Levine's record in the work.

Voting: Carried unanimously.

WOMEN'S WORK

Comrade Lovestone reported that the United Council of Working Class Women is prepared to pay for Comrade K. Gitlow's going to the Tenth Anniversary; and also to investigate the conditions of the working women in the Soviet Union.

Motion by Lovestone:

1—That Comrade Gitlow be authorized to accept the invitation and immediately arrange to leave.

2—That a credential be given to Comrade Gitlow as a member of the Party and as a responsible figure in the women's work.

3—That the New York District Organizer be immediately notified so that arrangements can be made to have comrades chosen to replace Comrade Gitlow in the work she has been doing in this field.

Voting: Carried unanimously.

Petitioner's Exhibit No. 60

October 21, 1927
#343C

This is to certify that Comrade Kate Gitlow is a member of the Workers (Communist) Party of America in good standing. She has been a member since the Party's organization. Comrade Gitlow is active in women's work. The Central Executive Committee asks that the Women's Secretariat especially cooperate and help Comrade Gitlow during her stay in the Soviet Union.

Fraternally yours,

Jerry Lovestone,
Executive Secretary.

SEAL—Central Executive Committee

Petitioner's Exhibit No. 63

MINUTES OF POLCOM

December 23, 1925
#36

Present: Ruthenberg, Lovestone, Bedacht, Cannon, Dunne. Candidates—Minor, Johnstone. Observers—Engdahl, Browder and Bob, Com Frank Miller.

Chairman—Com Ruthenberg.

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TRADE UNION DELEGATION CAMPAIGN

Comrade Ruthenberg read a cable and a letter from Comrades Foster and Bittelman dealing with the trade union delegation and the proposal that the delegation reach Moscow by May 1st.

Motion by Ruthenberg:

1—That we send confidential instructions to all DOs in New York, Boston, Philadelphia, Cleveland, Pittsburgh, Detroit and Chicago that they take up this question energetically and organize the trade union fractions to get support of the local trade unions for a local conference.

2—That they shall make this one of their principle points of work at the present time.

Motion by Lovestone:

That we take up with Gold, the question of the Joint Board of the Furriers (New York) voting $500 to help start the organization drive for a trade union delegation.

Motion by Ruthenberg:

1—That the New York Committee for the T U delegation forward $200 for organization work, nationally, to Chicago.

2—That Chicago be the center for this work.

Amendment by Cannon:

That Com Lewis devote his full time to the work and push it energetically.

Motions carried unanimously.

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WOMEN'S WORK

Letter from Comrade Zetkin read dealing with women's work, problems and tasks American section should take up. Motion by Ruthenberg:

1—That a sub-committee be elected to consist of 3 CEC members for work among women.
2—That the executive section of the work shall be in the Org Dept.
3—That a report be formulated to Comrade Zetkin, Women's Dept. of the CI on the work that has been done in carrying out the resolution.
4—That we advise the CI Women's Secretariat that we will take note of all points of correction in regard to the convention resolution.
5—That the sub-committee draw in a number of women Comrades for this work.
    a. The sub-committee shall take up the question of organizations of women's auxiliaries (trade union, etc.)

Motions carried unanimously.

Comrades Lovestone, Browder and Dunne were elected unanimously. Representatives of the League to be added by the NEC of the YW(C)L.

March 8 has been set for International Women's Day. Committee is to make arrangements for special editions of the Party papers on that day.

Motion by Bedacht:

> That the Agitprop Department take note of the criticism of the letter of the Women's Secretariat of the articles in the Party press and take steps to remedy it.

Adopted unanimously.

MARINE TRANSPORT WORKERS CABLE RECEIVED BY COM GEORGE

Comrade Ruthenberg read the following cable received by Com Harrison George:

"RILU Executive Bureau empowers Comrade Harrison George act representative RILU Transport Workers Section at United Front Conference meeting Havana Cuba January fifteenth nineteen twenty-six stop our position stop fight war danger and imperialism fostered by capitalist government generally and today United States particularly stop against Pan American Labor Federation as tool North American imperialism stop against T U collaboration with employers stop against disorganized State Labour Movement stop favour class struggle Proletarian organizations trade union unity nationally internationally for International Federation Transport Workers all branches transport for close collaboration RILU organizations with other revolutionary organizations seamen particularly MTW 510 IWW stop detailed instructions materials following stop."

Com George's reply: "Marine Conference transferred Montevideo, Uruguay March fifteenth avoid Cuban persecution stop preliminary visit important Latin American countries imperative."

Motion by Com Ruthenberg:

> That we communicate by cable with the Profintern on the question of financing delegate to the Marine Transport Conference.

Carried unanimously.

Petitioner's Exhibit No. 65

MINUTES OF POLITICAL COMMITTEE

January 4, 1926

#39

Present: Ruthenberg, Lovestone, Cannon, Dunne, Johnstone, Darcy (YWL). Observers: Ballam, Engdahl, Bob, F. Miller, Beidenkapp (IWAO).

Chairman: Ruthenberg.

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C I Representatives

Motion by Ruthenberg:

> That Comrades Bedacht and Cannon be elected as representatives of the CEC to appear before the Comin-

tern on the American question and that they be the American delegates to the EECCI.

Amendment by Com Johnstone:

1—That Comrade Browder be sent over as the representative of the opposition to the new appeal on the trade union resolution which is being presented to the CI.

2—That Comrade Bittelman be one of the delegates.

After discussion vote was taken. For Johnstone No. 2—Johnstone. Against—all other members of the committee. For Johnstone motion No. 1—Johnstone. Against—all other members. Voting for Ruthenberg motion—Cannon, Dunne, Lovestone, Ruthenberg. Comrade Johnstone abstained from voting on this motion.

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Cable From Com Losovsky

Cable received from Com Losovsky reading as follows:

Telegraph immediately text resolution regarding league before consideration question here stop league is part of profintern stop on no account take any decisions against League whatever or weakening league work stop.

Answer sent as per copy attached.

Motion by Ruthenberg:

That the reply be approved.

Amendment by Johnstone:

That the request of Comrade Losovsky be complied with.

Substitute by Lovestone:

That in the opinion of the CEC, the cable sent by Comrade Ruthenberg fully complies with the request of Comrade Losovsky and therefore we endorse the reply sent.

Statement by Johnstone "That the request of Comrade Losovsky is not being complied with as shown by the trade union committee meeting today in the refusal to adopt Comrade Foster's proposed plan of Party fractions and building the League and the statement of Ruthenberg that the CEC is not in line with the policies outlined for the League which is at present the policy of the Profintern and the Party.

In order to complete the records Comrade Ruthenberg states "that the program of the CEC as well as that submitted by Comrades Foster and Bittelman provided first for an organizational campaign to mobilize the Party membership for trade union work and organization of Party fractions. The CEC is carrying on this campaign immediately. Before this campaign can be completed, the CI will have made a decision on our proposal and the way will be clear for carrying into effect the policy approved by the CI for building the broad left wing movement in this country. Therefore, the action in relation to the Foster-Bittelman proposal in regard to the TUEL does not in any way militate against the League since such action cannot be taken until after the campaign for the organization of Party fractions even as Comrades Bittelman and Foster proposed."

Voting in favor of Lovestone substitute—Cannon, Dunne, Lovestone, Ruthenberg. Comrade Johnstone is recorded as voting for his own motion.

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1/4/26 #39

Copy of cable in answer to Losovsky cable:

Plenum central endorses unity and polcom report eighteen for and four against stop Consultative vote candidates alternates DOs and leading Comrades present forty-two in favor and eight against stop trade union resolution adopted same vote proposes expansion present industrial national committees comma which except in needle trades are not connected TUEL comma into broad left bloc organizations comma organizing local left bloc conferences comma and when ground thus well prepared calling national left bloc conference to elect national committee and adopt national program stop left wing paper to be established by organizing provisional national board stop TUEL to continue until national conference left block elects committee and adopts program and then to be absorbed in it stop immediate campaign to bring members into unions and organize fractions stop Balance program in resolution effective only after approval Comintern Profintern stop Give copy to Losovsky in answer to his cable to us."

Petitioner's Exhibit No. 69

MINUTES OF POLITICAL COMMITTEE

April 8, 1926

#64

Present: Ruthenberg, Lovestone, Abern, Minor, Johnstone.
Candidates—Swabeck, Engdahl, Ballam. YWL—Darcy.
Observers—Miller, Bob, Loeb, Gomez, Whiteman.
Chairman: Ruthenberg.

NEGRO WORK

Comrade Whiteman reported on the work done and results achieved on his tour and made recommendations.

Motion by Ruthenberg:

1—That Comrade Whiteman be requested to write out his report so that it can be sent to the Eastern Department of the Comintern showing the progress in the work the ANLC is doing.

2—That we approve of the recommendation that the five persons mentioned be added as new members to the Executive Committee of the Congress. (Wm. Pickens, Monroe Trada, I. F. Bradley, Albert C. Candler, Robt. Lockman).

3—That we postpone action on the question of moving the ANLC office to New York until a later meeting.

4—That the second class mailing privileges for the Negro Champion be secured before the next issue of the paper.

5—That the Negro Committee be instructed to take up with Comrade Whiteman the proposal of initiating an immediate campaign on some concrete issue.

Motion by Ballam:

> That we take up the question of the present constitution of the ANLC local ex comm with the Boston District and instruct them that the Congress is to be put on a broader basis in regard to the personnel of the officers.

Motions carried unanimously.

ANTI-IMPERIALISM

Comrade Gomez reported on the situation and occurrences since his last report, confining it to the most urgent matters that required attention. 1. Must build up El Liberatador as organ for the League in Latin America. 2. Matter of arranging organization trip through Latin America. 3. Sending of representatives to Philippines to take up work there; also a rep to Latin America. 4. Conference called at Brussels has been indefinitely postponed but definite steps being made to provide for sending of delegates. 5. Separate office for AAAIL from Party offices. 6. Young Workers League Anti-Militarist conference. 7. Cuban situation. 8. Responsibility for bills of local anti-imperialist organizations. Recommendations were made covering points.

Motions by Ruthenberg:

1—That the Org Dept shall make a survey in order to have a Comrade who can be sent to the Philippines, under the instructions and direction of the Eastern Department of the Comintern.

Carried unanimously.

program stop left wing paper to be established by organizing provisional national board stop TUEL to continue until national conference left block elects committee and adopts program and then to be absorbed in it stop immediate campaign to bring members into unions and organize fractions stop Balance program in resolution effective only after approval Comintern Profintern stop Give copy to Losovsky in answer to his cable to us.''

Petitioner's Exhibit No. 69

MINUTES OF POLITICAL COMMITTEE

April 8, 1926

#64

Present: Ruthenberg, Lovestone, Abern, Minor, Johnstone.
Candidates—Swabeck, Engdahl, Ballam. YWL—Darcy.
Observers—Miller, Bob, Loeb, Gomez, Whiteman.
Chairman: Ruthenberg.

NEGRO WORK

Comrade Whiteman reported on the work done and results achieved on his tour and made recommendations.

Motion by Ruthenberg:

1—That Comrade Whiteman be requested to write out his report so that it can be sent to the Eastern Department of the Comintern showing the progress in the work the ANLC is doing.

2—That we approve of the recommendation that the five persons mentioned be added as new members to the Executive Committee of the Congress. (Wm. Pickens, Monroe Trada, I. F. Bradley, Albert C. Candler, Robt. Lockman).

3—That we postpone action on the question of moving the ANLC office to New York until a later meeting.

4—That the second class mailing privileges for the Negro Champion be secured before the next issue of the paper.

5—That the Negro Committee be instructed to take up with Comrade Whiteman the proposal of initiating an immediate campaign on some concrete issue.

Motion by Ballam:

That we take up the question of the present constitution of the ANLC local ex comm with the Boston District and instruct them that the Congress is to be put on a broader basis in regard to the personnel of the officers.

Motions carried unanimously.

ANTI-IMPERIALISM

Comrade Gomez reported on the situation and occurrences since his last report, confining it to the most urgent matters that required attention. 1. Must build up El Liberatador as organ for the League in Latin America. 2. Matter of arranging organization trip through Latin America. 3. Sending of representatives to Philippines to take up work there; also a rep to Latin America. 4. Conference called at Brussels has been indefinitely postponed but definite steps being made to provide for sending of delegates. 5. Separate office for AAAIL from Party offices. 6. Young Workers League Anti-Militarist conference. 7. Cuban situation. 8. Responsibility for bills of local anti-imperialist organizations. Recommendations were made covering points.

Motions by Ruthenberg:

1—That the Org Dept shall make a survey in order to have a Comrade who can be sent to the Philippines, under the instructions and direction of the Eastern Department of the Comintern.

Carried unanimously.

(FURTHER MOTION BY RUTHENBERG)

2—That the anti-imperialist committee be instructed to work out a plan for the work in South America.

3—The anti-imperialist committee shall cast about for suitable persons to assign to this work and submit its plan at the earliest possible moment to the Polcom for approval and submission to the Presidium of the Comintern. The plan should also include a budget for this work.

Motions carried unanimously.

Motion by Ruthenberg:

> That Com Gomez write a letter to the Cuban Comrades who claim to be secretaries of the AAAIL in Cuba pointing out that the Communist Party must be supreme for its members and also pointing out that it would be a crime to align the League against the Party. No matter what the present difficulties are they should be settled by the Party. In the meantime they should both prepare a statement as to what their individual cases are.

Carried unanimously.

Petitioner's Exhibit No. 71

READ AND DESTROY

MINUTES OF POLITICAL COMMITTEE

JUNE 11, 1926
#76

Present—Ruthenberg, Gitlow, Minor, Engdahl, Dunne, Foster, Bittelman, Darcy. Bob, Miller, Loeb, Johnstone. (From the YWL- Schachtman, Shapiro, Williamson).

Chairman—Ruthenberg.

YWL

Comrade Darcy read the attached letter appealing against the decision of the Polcom not to grant credit of $70 to the YWL by the Daily Worker for the printing of collections lists, in view of the success of the League in reducing its bill of $3,200, February, to $2,000 in June, etc. After discussion, Comrade Dunne moved.

In view of the facts presented by the League representative, that the credit be granted in this case.

Amendment by Ruthenberg:

That the League pay ¼ of the amount of the bill for printing those lists and the balance within the 30 day period.

Substitute motion by Ruthenberg:

That the Daily Worker print the lists with the understanding that the first money that comes in goes to the Daily Worker to liquidate the bill.

Substitute motion carried unanimously.

Com Ruthenberg reported the following recommendations of the League referred by the Plenum of the CEC to the Polcom for action:

1—Establishment of an anti-militarist department to help build the united front against militarism and publish anti-militarist literature.

2—Endorsement of the YWL National School and urge Party Districts to help support it financially.

3—That the Party take steps to release certain League comrades from work in the Party all over the country to make it possible to build the League.

4—That a 10¢ assessment be levied on all Party members to build the League.

Motions by Ruthenberg:

1—That we elect a committee of three including a representative of the YWL to study the question of the anti-militarist department and that this committee prepare a report on what can be done on this question.

2—On the question of the school, the districts have already taken action to support the schools. The motion is that the Polcom endorse the League schools.

3—That Comrades Darcy and Lovestone be appointed as the committee to submit a list of League comrades to be released from Party duties—the list to be approved by the National Committee of the League and the Polcom of the Party.

4—As soon as the present Party assessment is collected; that an assessment of 10¢ be levied on the Party membership for the benefit of the League.

All motions carried unanimously.

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ICOR DELEGATE

Com Ruthenberg reported that on the basis of minutes he had received from the Jewish Bureau which stated that Wattenburg was to be sent to some conference in Moscow as a delegate, he had taken up the matter with the Jewish Bureau and their reply clarifies the situation. Wattenburg is to be sent by the Icor as delegate to a Moscow Conference and the matter came before the Bureau for endorsement of policy to instruct Party fraction in the Icor to vote for sending Wattenburg in opposition to other nominees.

Motion by Ruthenberg:

To approve the sending of the delegate by the Icor.

Carried unanimously.

Petitioner's Exhibit No. 72

MINUTES OF POLITICAL COMMITTEE

JUNE 15, 1926

#77

Present—Ruthenberg, Engdahl, Gitlow, Minor, Johnstone, Dunne, Darcy, Bob, Miller, Whiteman.

Chairman—Ruthenberg.

* * * * * * * * * *

PITTSBURGH-TAPOLOFSKY CASE

Comrade Tapolofsky is up for hearing for the revocation of his citizenship papers on the ground that he is a Communist. Comrade Jakira writes asking for instructions as to how he shall answer questions put to him in the hearing.

Motions by Ruthenberg:

That if it is necessary for the Comrade to do so, to retain his citizenship in the United States, he shall answer the questions as follows:

1—That he is attached to the constitution of the United States.

2—That he takes the oath of allegiance to the constitution of the United States.

3—On the question of the Soviet Government he shall declare that he has no opinion on the question because he has not sufficient knowledge of the situation.

4—He shall declare that he favors the workers and farmers controlling the government in order to create better conditions for themselves. At the present time, he shall state, that he is in favor of workers and farmers nominating their own candidates.

5—That if it cannot be proven that he is a member of the Party, he shall deny membership in the Party.

Carried unanimously.

* * * * * * * * * *

WHITEMAN REQUEST

Letter read from Comrade Whiteman in which he requests permission to go across for reasons listed in the letter.

Motion by Ruthenberg:

1—That the Committee advise Comrade Whiteman that it does not believe at this time he should proceed to the Comintern.

2—That Comrade Whiteman be requested to make a detailed statement of the proposals which he has raised in his letter to be forwarded to the ECCI for consideration. If the Eastern Department then feels that Comrade Whiteman should come to Moscow in regard to the matters listed in his letter, the Committee shall take the matter up further.

3—We should make immediate inquiry as to the conference to be held in Brussels, the nature of the Congress and whether it is expected that delegates are to come from the United States.

Motion by Duune

That the Negro Committee be instructed to prepare a detailed report for the Polcom relative to the organization and political status of the ANLC in relation to the general work of the Party.

Carried unanimously.

REPRESENTATIVE OF THE PARTY TO THE COMINTERN

Cable received from Comrade Bedacht stating that he is back in Moscow and he wishes to return to the United States.

Motion by Ruthenberg:

1—That we request the ECCI to release Comrade Bedacht to return to the United States.

2—That we appoint Comrade Minor as representative of the Party to proceed to Moscow immediately upon Comrade Bedacht's arrival in the United States.

Comrade Dunne nominated Comrade Hathaway.
Comrade Bittelman nominated Comrade Browder.
Voting for Browder—Johnstone, Bittelman.
Voting for Hathaway—Dunne.
Voting for Minor—Engdahl, Ruthenberg, Gitlow and Minor.

STUDENTS' DEPENDENTS

Students were sent to the Lenin school with the understanding that upon their arrival the Lenin School would make arrangements for support of their dependents in the United States. It seems that when the matter of student's dependents in America was submitted the School instructed that the Party make a donation of $50 per month and the students send part of what is allotted to them. Com Ruthenberg reported that Mrs. Hathaway has four children and has been receiving $15 per week which is an impossible sum for the maintenance of such a family. She received a letter from Hathaway that he can send $50 per month and that the school requested us to pay $75. In the case of Hathaway, money will have to be provided for his family or he will have to return. In the case of Mrs. Bell who has one child, the amount furnished her in the past by the Party and the amount sent by Comrade Bell is sufficient.

Motion by Ruthenberg:

> To continue to pay Mrs. Bell $15 each week and to pay Mrs. Hathaway $75 per month in weekly installments.

Motion carried uanimously.

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INFORMATION DEPARTMENT

Com Ruthenberg reported that a cablegram had been sent to the Comintern regarding Herberg but that no reply has been received. However, a new development occurred: Com Bosse, New York, has been ready to go across for sometime. He is fitted for this position.

Motion by Ruthenberg:

> That we recommend to the Information Department of the Comintern the employment of Com Bosse as the American Reporter in the Information Department.

Carried unanimously.

Petitioner's Exhibit No. 73

READ AND DESTROY

MINUTES OF POLITICAL COMMITTEE

June 29, 1926

#78

Present—Ruthenberg, Lovestone, Engdahl, Minor, Cannon, Bittelman, Foster, Darcy, Dunne, Beidenkapp and Loeb.

Chairman—Ruthenberg.

* * * * * * * * * *

W. E. Douglas

Letter read from Com Douglas requesting, if possible that he be given an opportunity to attend the Lenin University in Moscow and upon completion of his course to be released from the Russian CP to come to the U. S. for work here. He will complete his present work with the Kusbaz on March 1, 1927, is now in U. S. for a period of three months.

Motion by Ruthenberg:

> To write to the Comintern stating the request of Comrade Douglas and that if the Comintern can give him the opportunity to attend the Lenin School at the time indicated, that the Party favors it being granted and when he finished his studies that he be released to return to the United States.

Motion carried unanimously.

Petitioner's Exhibit No. 74

READ AND DESTROY

MINUTES OF POLITICAL COMMITTEE

October 13, 1926

#94

Present—Ruthenberg, Lovestone, Bedacht, Gitlow, Foster, Bittelman, Cannon, Dunne, Johnstone, Darcy (YWL) Miller, Puro, Overgaard, Loeb, Swabeck.

Chairman—Ruthenberg.

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Cable-Moving

Cable read from Comintern relative to moving (see attached).

Motions by Ruthenberg

1—That we acknowledge receipt of instruction of the CI to the CEC on this question.

2—That the Polcom decide that the Daily Worker shall be removed to New York and that preparations shall be made for this removal by the 3rd birthday of the Daily Worker January 13th.

3—That the question of the removal of the Daily Worker shall not go beyond the Polcom until after the present money raising campaign is completed and the members of the Polcom are bound not to discuss this matter in any way outside of the Polcom.

Comrade Johnstone asked what was the result of the referendum to the CEC on the question of moving. Comrade Ruthenberg replied that the votes were cast 11 for and 11 against.

Voting in favor of motion #1—carried unanimously.
“ “ “ “ “ #2—Ruthenberg, Lovestone, Bedacht, Gitlow.
“ against “ “ —Foster, Bittelman, Cannon.
“ in favor “ “ #3—unanimous.

International Relations

Motion by Johnstone:

That the representative of the Party to the CI make a report to the Polcom at least twice a month.
Carried unanimously.

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INSTRUCTIONS TO PARTY TRADE UNION FRACTIONS

In order to intensify the application of the CEC resolution on "The Broadening of the TUEL and the building of an oppositional bloc in conformity with the CI decision," the following measures shall be put into effect immediately.

FORMATION OF BROAD LOCAL GENERAL GROUPS

Under the immediate direction of the respective District Secretaries and Trade Union Committees, steps shall immediately be taken for the formation of left wing groups, as broad as possible, in all industrial centers. To this end the following policy shall be adopted:

1. Where there is already a definite broad oppositional foment existing in the local general trade union movement, or where it is possible to develop one around some burning issue in the very near future, such as the setting up of an oppositional slate in the union elections, the establishment of broad committees for organizing the unorganized or for the formation of a Labor Party, etc., steps shall be taken directly for the formation of such a broad united front of the oppositional elements. In the resultant organization, our policy shall be to bring in as much as practicable of our general program of action and to gradually crystallize our fractions and the more conscious left elements into a definite left wing within the broad movement.

2. Where there is no immediate prospect of developing such broad united front movements with the oppositional elements around single issues, local conferences shall be called as soon as possible on the basis of our general program of action and left wing organizations formed of those who subscribe to it, this program of action to include a militant fight against the employers, the organization of the unorganized, the formation of a Labor Party, amalgamation, democratization of the unions, and the elimination of gangsterism and corruption. Where such left wing groups

are established they shall be considered as instruments for the organization of wider oppositional movements, and to this end they shall energetically strive to put into effect their local programs of work, calling for the formation of joint election slates, organizing committees, Labor Party committees, strike relief committees, etc. When broader local general oppositional united front movements are formed the existing left wing groups shall, except in unusual cases, merge with them and become their left wing.

That is, the Point "1" policy, is to first form the broad oppositional movement, and then crystallize a left wing, comprising our Party fractions and other left elements, within it; and the Point "2" policy, is to first form the left wing of fractions and other conscious elements, and then build a broader movement around it.

In accordance with the foregoing general instructions, the following practical steps shall be taken:

In all industrial centers, broad local general oppositional groups or left wing groups shall be formed, as local circumstances dictate. They shall be given such names as may be deemed most expedient.

The meetings for the formation of these local general groups shall be arranged tour-wise so that they may be covered by TUEL organizers.

In the formation of these various local groups the initiative of non-Party elements shall be developed.

It shall be our aim to bring all these local groups under the general leadership, official or unofficial, of the TUEL General Committee, to secure their acceptance of Labor Unity as their official organ, and to get their support for the Workers' Educational Fund.

FORMATION OF BROAD LOCAL UNION GROUPS

In all localities and in all unions, the local union fractions, under the immediate control of local Trade Union committees and leading fractions, shall at once proceed to establish broader groups in their respective local unions. Special attention shall be paid to the local unions in heavy and key industries.

The policy outlined in the foregoing general instructions, "1" and "2", shall also apply in the case of the formation of broader groups in local unions. Where burning issues exist broad united fronts shall be created on that basis, but otherwise general left groups shall be at once formed upon the basis of our trade union action program, these left wing groups to immediately strive for the formation of broader groups, as above explained. In all cases the fractions will be required to establish groups broader than mere party lines, whether the new groups shall be left wing in character, or broad united fronts, depends upon local circumstances.

These local union oppositional groups shall be given such names as may be most expedient. They shall be drawn under the leadership, official or unofficial, of the National Industrial Committees and Local General Groups in their respective industries and localities. They shall support Labor Unity and the various finance systems of their National Industrial Committees, and also the Workers Education Fund.

Formation of Broad Local Industrial Groups

In accordance with the general instructions "1" and "2", broad oppositional movements shall be developed among all the local unions of one trade in a given locality (Joint Boards, District Councils, etc.) and among all the local unions in a given local industry (Building Trades Councils, Metal Trades Councils, etc.) applying the foregoing policy regarding names, finance, Labor Unity and the general leadership of the TUEL.

The National Movement

As rapidly as practicable, National Industrial Committees, based on the present general system, shall be organized in all the principal industries now without such committees. There shall also be organized National Union Committees to cover the most important individual unions, these National Union Committees to work under the general direction of their respective National Industrial Committees. The NIC's shall publish their own papers, adopt financial systems and be known by such names as may be most convenient to secure the best results. They shall include workers in various centers, including non-Party militants.

Pg 6

The General Committee of the TUEL shall hold an enlarged meeting in Chicago on--------------to which shall be invited Party and non-Party left wingers from various cities and industries. This meeting shall issue a statement to the labor movements stressing the non party character of the TUEL and emphasizing its program of struggle around concrete issues. The meeting shall also develop the Workers' Education Fund, work up detailed plans for organizing left wing and progressive groups, map out general left wing programs for the various industries, prepare for the coming national conference of the TUEL, and broaden out the General Committee to include militants in the various cities. It shall take definite steps to build up Labor Unity.

By Wm. Z. Foster.
September 28, 1926.

Proposals for Launching the TUEL Journal

1. *Make-up of the Paper*
   a—Name: Labor Unity.
   b—Size: Eight pages, half newspaper size.
   c—Intervals: Semi monthly.
   d—Launching: Steps to be taken immediately.
   e—Price: $1.50 per year, 5 cents per copy.

2. *General Policy and Program*
   a—Labor Unity shall aim to serve as the general organ of the left wing and progressive tendencies and group-

ings in the trade union movement. It shall be a forum for the exchange of views and crystallization of opinions on progressive and revolutionary movements in the labor unions. It shall be the unofficial organ of the TUEL.

b—Labor Unity shall be a non partisan paper supporting all political, economic, and other workers' organizations that fight against capitalism.

Petitioner's Exhibit No. 75

READ AND DESTROY

MINUTES OF POLCOM

October 29, 1926
#97

Present: Ruthenberg, Lovestone, Bedacht, Engdahl, Foster, Bittelman, Cannon, Darcy (YWL), Swabeck, Abern.
Chairman: Ruthenberg.

C. P. S. U. & Zinoviev as Chairman of Comintern

Comrade Ruthenberg presented the attached resolution for adoption by the Polcom.

Comrade Bittelman proposed that in the second sentence of the first paragraph, it be made to read, "It has endorsed and reaffirms its endorsement of the general line of policy of the Central Committee of the Russian Communist Party, as against that of the opposition for the development of the economic system . . . etc."

Motion by Bittelman:

That the District Committees of the Party be directed to organize series of membership meetings at which the Agitprop and Central Committee shall supply speakers to talk on the issues before the Russian Party and nature of the controversy.

Motion by Bedacht:

> That the Central Committee carry on series of articles in the light of the decision of the Polcom in the Daily Worker to be also sent to the Party press. These articles to be confined to the CEC and members of the Polcom and candidates of the CEC who shall be instructed to write for the information of the Party members.

Motions carried unanimously. Resolution and amendment carried unanimously.

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PLENUM OF ECCI

Comrade Ruthenberg reported receipt of a cablegram advising of date of the Plenum of the ECCI (November 15) the agenda and that 4 delegates have been apportioned to the W(C)P, including the 2 EC members; that if the 2 EC members do not go to the Plenum that 4 other delegates shall be elected.

Letter was read dealing with the same subject in more detail.

Com Cannon reported that he recently received a circular from Mopr inviting him to all-world congress of Mopr for a report on the American Bureau and that it was to take place about the same time as the ECCI plenum.

As EC members, Comrade Ruthenberg stated that in view of his legal complications, there would be a serious risk which would have a bad effect on the other comrades involved in the Bridgman cases and therefore he did not intend to go to the Plenum.

Com Cannon stated that he didn't want to go, personally, but felt obliged to go from the standpoint of the Mopr and also in view of the Comintern situation.

Comrade Foster stated his intention is not to go.

Motion by Ruthenberg:

That Comrade Lovestone go as representative of the CEC with Comrades Minor and Pepper also as regular delegates, to the Plenum.

Petitioner's Exhibit No. 76

READ AND DESTROY

MINUTES OF POLITICAL COMMITTEE

January 14, 1927

#112

Present: Bedacht, Dunne, Engdahl, Foster, Johnstone, Ruthenberg, Williamson (YWL).

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Report of CI Representative

Letter from Comrade Minor, submitting the minutes of the American delegation to the Seventh Enlarged Executive Committee meeting.

Comrade Ruthenberg moved that the minutes be made available for the members of the Polcom.

Motion adopted unanimously.

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New York Port Bureau

Comrade Foster reported on the possibilities of organizing the New York Port Bureau and submitted a statement from Comrade Weinstone that $300 was needed immediately. Comrade Ruthenberg stated that the Party did not have funds for even its most pressing work under way at the present time and therefore new ventures requiring financial expenditures would have to await an improvement in the financial condition of the Party.

No action taken.

Petitioner's Exhibit No. 77

READ AND DESTROY

MINUTES OF POLITICAL COMMITTEE

February 24, 1927
#119

Present: Ruthenberg, Lovestone, Bedacht, Puro, Cannon, Foster, Bittelman, Swabeck, Johnstone, Darcy (YWL).

* * * * * * * * * *

Miners International Conference—IPC

Comrade Foster reported that Salutsky wired us to send a delegate. Question of finances was discussed.

Motion by Foster:

> To wire them that we will send a delegate; that that they should wire us funds for fare. Carried unanimously.

* * * * * * * * * *

Mopr Conference

Com Cannon reported that the World Congress of the Mopr is to be held March 18th and a cable has been received stating that three delegates from the U. S. and one from Canada should go to the conference, leaving immediately. Cable stated Com Cannon should proceed immediately as one of the delegates.

Motion by Cannon:

> That Com Cannon go immediately as a delegate and that Comrades Maurer and Shachtman constitute the other two delegates.

Amendment by Bedacht:

> That Com Cannon go immediately and that appointment of other two delegates be postponed until the next meeting of the Polcom.

Voting for amendment—Ruthenberg, Bedacht, Lovestone, Puro. Opposed—Foster, Bittelman, Cannon.

* * * * * * * * * *

IWA

Comrade Biedenkapp reported on the IWA conference held from which he had just returned, making proposals of both general and specific character.

Motion by Ruthenberg:

1—That the Polcom endorse the building up of the IWA in accordance with the decision of the secretariat of the CI.

2—That we endorse the formation of the corporation for handling films.

3—That the other concrete recommendations be referred to the subcommittee of three on I W A, to be elected on which Comrade Biedenkapp should function as one of the members.

4—That the division of the proceeds of film showings shall be 25% to the Art Film Corporation, 35% to the I W A, 20% to the National Office and 20% to the local organization of the Party.

Amendment by Swabeck:

That 15% go to the National Office and 25% to the districts.

Motions by Com Ruthenberg carried unanimously.

Comrades Ruthenberg, Bittelman were elected together with Com Biedenkapp as the subcommittee.

Petitioner's Exhibit No. 80

MINUTES OF POLITICAL COMMITTEE

APRIL 25, 1927
#129

Present: Lovestone, Bedacht, Puro, Wolfe, Foster, Cannon, Bittelman. Johnstone, Abern, Darcy, Kaplan.

CHINA

Comrade Lovestone read the following cable received from the CI.

Demolition in Soviet Embassy Pekin, arrests, violence also British blockade of Shanghai Consulate permitted by Diplomatic Corps and undoubtedly inspired by English money provoke war with USSR. Chinese ports occupied by Imperialists. Situation grave, war against Chinese Revolution began, war threatened against USSR. All Communist parties must raise broad masses, also youth to protest using every possible help. Categorically necessary shortest period to organize mass anti-British demonstrations preferably before British Embassy Consulates. When possible questions to Congressmen Senators demanding clear answer re Government attitude.

Com Lovestone brought to the attention of the Committee the announcement that the U. S. had pulled out of the joint group in reference to the action against China. There has been a statement issued by Green of the A. F. of L. following up the statement of the State Department.

Motions by Lovestone:

On the basis of these items—That we instruct the DOs to hasten with the preparations for the demonstrations before the British Embassy Consulate offices.

1—In these demonstrations, amongst the general slogans of the Party in the Hands Off China Campaign, there be specifically raised the slogan of condemning the role of the British imperialists in the raid on the Soviet Embassy at Pekin.

2—In view of the declaration of the A. F. of L. that the trade union department prepare a new resolution to be circulated in all trade unions as a follow up of the Green declaration and demanding solidarity of the American trade unions with the Chinese Labor unions and the Nationalist Government at Hankow.
3—That Comrade Wolfe be held responsible for directing all publicity in the Hands Off China campaign.

Carried unanimously.

CI Communications

The following letter was received from the Comintern:

Dear Comrades:

At its last Session of March 16th, the Presidium of the ECCI decided to convene the next Plenum of the ECCI for May 10th, 1927 and to adopt the following agenda for this session:

1—The peril of new wars and the question of struggle against same. The report of this item of the agenda is to be made by one representative each from the CP of Great Britain and France.
2—The Chinese Revolution. Report of Comrade Bucharin and eventually a Chinese comrade.
3—Date for the convocation of the VI World Congress.
4—Questions of individual sections.

If Sections wish certain questions to be discussed at the Plenum they should inform the Polit-Secretariat of the ECCI about these questions in good time before the Plenum, they should appoint a reporter on these questions, giving his name to the Polit-Secretariat and sending the written material appertaining to these questions, giving his name to the Polit-Secretariat and sending the written material appertaining to these questions, in order that the material could be sent to the Central Committee of the Sections prior to the Plenum.

With regard to the delegation-regulation the following decision was made: only members of the ECCI are to participate in the Plenary sessions. The place of an expelled or deceased member of the ECCI is taken by a candidate of the ECCI, or, in the event of no candidate being available, by a representative appointed by the CC of the Party in question. If Parties wish to send other representatives instead of a member of the ECCI, or have other proposals to make, this will have to be decided in every concrete case by the Polit-Secretariat. Therefore, it would be desirable for central committees to send in good time any proposals they have to make with regard to this, in order to enable the Polit-Secretariat to deal with them soon enough, as not to delay the despatch of the delegations.

The Plenum of the ECCI is not to last longer than 5 or 6 days.

Members of the ECCI and representatives instead of such ECCI members, proposed by the Party and approved by the Political Secretariat will have their travelling expenses to and from Moscow defrayed by the ECCI; also the ECCI makes itself responsible for the cost of their stay in Moscow.

With Communist greetings,
pp. Secretariat of the ECCI:
(Piatnitsky)

Com Lovestone then read the following cabled decision from the Comintern:

We hold the coming of Jack, Ben and Bill to Session of Executive to be necessary stop The coming of Jim and Weinstone would also be desirable but in case the Polburo holds this to be inexpedient, then we ask that written reports on part of these comrades be sent stop Regarding Ben we would excuse him from Session of Executive only in case all members Polburo including Ben himself are against his coming stop We say latter because we do not sufficiently know present needle trades situation stop No other Comrades shall come stop This telegram is to be shown to all five Comrades here mentioned stop

ECCI KUUSINEN.

Motions by Wolfe:

In execution of the decision in the letter and telegram:

1—That Comrades Foster, Lovestone and Gitlow make preparations to leave at once in order to attend the Executive session.

2—That Bedacht act as general secretary of the Party during Lovestone's absence.

3—That Wolfe act as agitprop director while Bedacht is acting secretary.

4—That we recommend that Comrade Johnstone act as secretary of the TUEL while Foster is away.

5—That Weinstone act in place of Gitlow as CEC representative on the National Needle Trades Committee while Gitlow is away.

6—That Comrade W. J. White be elected candidate to the Polcom.

7—In view of the fact that Comrades Cannon and Weinstone have not manifested such political opposition with the Polcom as to constitute a separate program and in view of the fact that they have been given an opportunity to present their statement in writing to the CI and in view also of the shortage of the forces which will be occasioned by so many of our leading Comrades leaving the country at this critical time, and the importance of such matters as the Sacco Vanzetti campaign and the necessity of handling the needle trades situation properly with Com Gitlow away, I move that Comrades Cannon and Weinstone be instructed to present their views in writing to the Executive Committee of the CI.

8—That we notify Comrade Dunne accordance with the cabled decision of the ECCI he is not to attend this session of the ECCI.

9—That we inform the CI that in view of the fact that these leading Comrades are leaving the country, we are postponing the plenum of the Central Executive Committee of our Party and,

10—In view of the inadvisability of the Y W L holding a plenum without the Party's holding a plenum, that the YWL plenum also be postponed.

Motions by Foster:

1—That the delegation should consist of Comrades Lovestone Weinstone and Foster and the matter of whether or not Comrade Dunne is eligible should be referred to the CI for decision.

2—Inasmuch as these three Comrades have been intimately connected with the needle trades situation and inasmuch as the fight in New York requires the concentration of those actively in the work, that Gitlow should not go.

3—That telegrams shall be sent immediately for the holding of a plenum of the CEC within two days.

4—That in the absence of Comrade Lovestone that Comrade Bittelman act as secretary.

5—In the event that it is decided by the CI that Comrade Gitlow shall go, that Com Zack shall be secretary of the needle trades.

Petitioner's Exhibit No. 80

Statement by Kaplan:

That the Party has already been informed that the NEC of the League receiving the following telegram from the ECYCI: "ECYCI demands NEC not to interfere party factional struggle and prevent it in League stop concentrate League forces intervention China offensive capitalists and bureaucrats stop for that and League problems convene full plenum NEC stop changes composition bureau or secretariat as elected last plenum plus Zam and Don are not permissible stop after plenum Sam should leave stop his replacement BUPO special letter."

I therefore request that the Polcom of the Party, before it takes any action which would result in the postponement of the League Plenum that they take the matter up with the ECYCI.

Motion by Cannon:

1—That the YWL plenum be held as already scheduled.

2—That we separate the question of the delegation from the other motions and deal with the other motions after we have disposed of motions on the delegation.

Motion No. 2 carried unanimously.

Petitioner's Exhibit No. 83

MINUTES OF SECRETARIAT

SEPTEMBER 13, 1927

#1

Meeting opened at 5:20 P.M.

Present: Lovestone, Foster, Gitlow.

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APPLICATION FOR LENIN SCHOOL

Motion by Lovestone:

To work out a questionnaire which the students must answer. Voting: Carried unanimously.

Motion by Lovestone:

To send a wire to the CI as follows: That we will not be able to send any Lenin students unless they cable us money in advance for their fare. Voting: Carried unanimously.

TEN NEGRO STUDENTS

Motion by Foster:

That it is not possible to find ten comrades to send and that we should try to get two or three, which will be sufficient.

Motion by Lovestone:

To refer this matter to the Polcom. Voting: Carried unanimously.

Petitioner's Exhibit No. 84

MINUTES OF SECRETARIAT

SEPTEMBER 15, 1927

#2

Meeting opened at 3:00 P.M.

Present: Lovestone, Foster, Gitlow, Grey.

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REPRESENTATIVES TO COMINTERN AND PROFINTERN

Motion by Lovestone:

To send two new representatives, Engdahl to the Comintern and some first line comrade to the Profintern. That Harrison George should not be kept as the representative to the Profintern. Voting: For—2 (Lovestone, Gitlow). Against—1 (Foster).

Motion by Foster:

I do not believe that we should change the representative to the Profintern that H George is pretty well posted on the general line of the Party in T U work. I do not have any objection to Engdahl as Comintern representative.

Motion by Grey:

That Johnstone or Ballam be considered as representative.

Motion by Lovestone:

That the question of the election of the representative to the Profintern be laid over to another meeting. Voting: Carried unanimously.

Petitioner's Exhibit No. 87

MINUTES OF POLITICAL COMMITTEE

October 20, 1927

#5 3:30 P.M.

Present: Lovestone, Gitlow, Wolfe, Cannon, Bittelman, Minor, Stachel, Weinstone, Lifshitz, Trachtenberg.
Observers: Ballam, Aronberg, Krumbein, Zack, Mindel, Baker.

Agenda:

1—National School
2—Lenin Students
3—C I Communications
4—Y W L Convention
5—Approval of Dist. Organizers
6—Language Fractions

C I Communications

Comrade Lovestone reported that a letter had been received informing us that the Fourth Congress of the Red International of Labor Unions is to be held in March, 1928.

Motion by Lovestone:

That the notice be referred to the Trade Union Department for recommendations and action. Voting: Carried unanimously.

Comrade Lovestone reported on the communication received regarding the trial of the Leading Italian comrades in Italy.

Motion by Lovestone:

> That this communication be referred to the Agitprop Committee for action. Voting: Carried unanimously.

Amendment by Bittelman:

> To have the Agitprop hold a meeting with Comrade Cannon and the Secretary of the Italian Bureau for action. Voting: Carried unanimously.

Comrade Lovestone read the letter received from the Secretariat of the ECCI regarding the activities of the opposition within the USSR.

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NATIONAL SCHOOL

Comrade Lovestone reported that a communication had been received from the CI relative to Party schools and especially with reference to a Central Party School. Also on a letter from the Agitprop Dept. requesting that the question of a National School be taken up at the next Polcom meeting.

Comrade Wolfe reported on the progress of the Workers School of New York.

Motions by Wolfe:

1—That the School be placed under the direction of the National Agitprop Department.

2—That it continue, for its New York work, to accept the guidance and the direction of the District Agitprop Department with the obvious right of final decision in the National Agitprop.

3—That the drive for funds and for a new building be authorized, preferably in conjunction with a building for the District Bookstore and other organizations.

4—That a plan be elaborated for night resident students from other districts and for a National Day Summer School.

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5—That party comrades assigned to teach in the Workers School shall not be assigned to give more than one night for teaching but shall consider that one night a week as a major Party task and as obligatory as any other assignment by the Political Committee or Central Committee.

6—That attendance in the Workers School for active Party workers should in general not be more than one night a week but that that shall be considered as major Party work, and both the right and duty of every Party comrade to get one night a week of such instruction to improve his general work.

7—That the other suggestions embodied in the report also be turned over to the Agitprop Committee for study and for working out a concrete program.

Motion by Lovestone: on procedure:

That the discussion be limited to five minutes each and to the general line.

Voting: Carried unanimously.

Motions by Bittelman:

1—That we continue to develop the Workers School in New York in the direction of a general labor college, retaining, as at present, the actual Party control, continuing to widen its basis, indirectly bringing in the ideology of our Party.

2—That the Agitprop Department be instructed to prepare a program for the launching of a Central Party School for training active Party workers, to be started with a three months' residential course in the coming summer.

3—That the Workers School in New York continue to extend its activities on a national scale.

Motions by Lovestone:

1—That the Agitprop be instructed to devise ways and means of increasing the attendance at the trade union course of the School.

2—That the Agitprop be instructed to devise ways and means of eliminating Scott Nearing from the course in Imperialism, and to find another course for him.

Motion by Lovestone:

That these recommendations be referred to the Agitprop Dept. Voting: Carried unanimously.

LENIN STUDENTS

Comrade Wolfe reported: That the following names were submitted to the Polcom, out of which six were to be chosen to go to the School: Krumbein, Baker, Oehler, Zack, R. Grecht, Shklar, Dinkfelt, Cowl, Reynolds, Bloomfield, Heywood, Hill and S. Croll (recommended by the Far Eastern University) and M. Hansen.

Motion by Wolfe:

That the following six be selected from the list: Krumbein, Baker, Zack, Shklar, Dinkfelt and M. Hansen.

Additional Motions by Lovestone:

1—That the students go as soon as finances for their shipment is available.

2—That in the mean while, the students be permitted to contract whatever loans they can to enable them to go

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to the Soviet Union, and the Party assumes responsibility for the loans, to be repaid upon receipt of the fare from the Lenin Institute.

3—That the Party in no way at all assume any financial responsibility for the dependents and relatives of any of the students. Voting: Carried unanimously.

Motion by Lovestone:

1—That we grant the request of Comrade Cowl for permission to leave and we give her a letter of recommendations for entrance to the Far Eastern or Central European School.

2—That we ask the C I that Heywood Hall and Sonia Croll be added to the American students in the Lenin School in view of their being there and their good record in the Far Eastern School.

Amendment by Bittelman:

That the following six be selected for the Lenin School: Krumbein, Zack, Cowl, Chilofksy, Baker and Grecht.

Amendment by Bittelman: on Cowl motion:

That she be recommended, if possible, for the Lenin School.

Amendment by Stachel:

That Heywood Hall and Sonia Croll be instructed to return to this country.

Voting: on Bittelman's amendment on Cowl:

For: Bittelman. Against: Lovestone, Gitlow, Stachel, Wolfe, Lifshitz.

Voting: On Lovestone motion on Cowl:

Carried unanimously.

Voting: on Stachel Amendment:

For: Lifshitz, Stachel, Wolfe. Against: Gitlow, Lovestone.

Motion by Wolfe: on students selected for School:

For: Lovestone, Gitlow, Wolfe, Stachel, Lifshitz, Trachtenberg. Against: Bittelman.

Voting: on Bittelman's amendment:

For: Bittelman. Against: Lovestone, Gitlow, Wolfe, Stachel, Lifshitz, Trachtenberg.

Petitioner's Exhibit No. 89

MINUTES OF POLITICAL COMMITTEE

NOVEMBER 30, 1927

#11

Meeting opened at 7:00 P.M.

Present: Wolfe, Bittelman, Weinstone, Lovestone, Trachtenberg, Minor, Cannon, Foster, Lifshitz, Stachel, Gitlow, Gomez, Browder, Zam, Aronberg, Hermann, Harry Schachtman, Miller, Mindel.

Agenda:

1—Russian Party Convention
2—Unemployment
3—Foreign Born
4—Letter from C I
5—Request from CI Info. Dept.
6—Department Reports
  a) Agitprop
  b) Org   c) Negro
  d) Anti-Imperialist
7—Daily Worker
8—Language Fractions
  a) Hungarian
  b) South Slavic
  c) Finnish
9—T U E L
10—I L D
11—Needle Trades Situation
12—YW L
13—Cooperative League

RUSSIAN PARTY CONVENTION

The following wire was proposed to be sent to the Fifteenth Congress of the Russian Communist Party:

The CEC of the Workers (Communist) Party of America sends fraternal greetings to the Fifteenth Congress of the

CPSU. Together with the whole Comintern, we take pride in the tremendous achievements by the toiling masses of the Soviet Union in socialist reconstruction. The five-year economic plan submitted to the Congress by the Central Committee constitutes another long stride in the direction of socialism and provides for further improvement of the conditions of the masses, including the introduction of the seven-hour day. This is increasing the faith of the toiling masses of the world in Communism. Thus capitalism is further undermined, and the world revolution promoted.

Conscious of the war danger confronting the Soviet Union, our Party will do its utmost to combat the efforts of American imperialism to join forces with Britain for a joint attack upon the socialist fatherland of the working class. We are fully confident of the ability of the CPSU and its Leninist Central Committee to mobilize and inspire the masses for defense of the Soviet Union.

Unity in the CPSU and unity in the Comintern are basic conditions for the defense and the socialist growth of the Soviet Union and for the growth of the world Communist movement. Therefore our Party urges the Fifteenth Congress to stop finally the splitting activities of the Trotsky-Zinoviov opposition, and expel from the Party forthwith all those who persist in the opposition's reverting to Monshevism.

We extend to the Fifteenth Congress our fraternal wishes for the success of its deliberations and pledge our efforts for maintaining the unity and Leninist line of the Comintern.

Central Executive Committee.
Workers (Communist) Party of America

Motion by Lovestone:

To send the cablegram tonight. Voting: Carried unanimously.

* * * * * * * * * *

Request from CI Inform. Dept.

Comrade Lovestone reported that the request was for someone to take the place of Bosse, who wished to return. The Secretariat unanimously recommends Comrade Fralkin should be sent provided that there is no expense to the Party.

Amendment by Browder:

> That Comrade Blankenstein be considered as a candidate.

Voting: Fralkin: For: Gitlow, Lovestone, Wolfe, Stachel, Litshitz. Blankenstein: Foster, Bittelman, Cannon. Abstain: Minor, Weinstone, Trachtenberg.
Comrade Fralkin was elected to go as the American Referent.

ILD

Comrade Cannon reported on the ILD Conference and its work.

Motions by Cannon:

1—That the Polcom approve the work and the general line of policy in the ILD work.

2—To reiterate the original Party decision that every member of the Party should be a dues paying member of the ILD.

3—That the Party issue a statement supporting the Christmas Fund.

4—To instruct the New York DEC to affect the reorganization of the New York Section within two weeks in collaboration with the National Office and place an experienced organizer in charge of the work.

5—To instruct the Jewish Bureau to organize a Jewish Section of the ILD. Voting: Carried unanimously.

Petitioner's Exhibit No. 91

MINUTES OF POLITICAL COMMITTEE

JANUARY 11, 1928

#17

Meeting opened at 8:15 P.M.

Present: Wolfe, Foster, Lovestone, Bittelman, Lifshitz, Stachel, Trachtenberg, Weinstone, Gomez, Harry, Hermann, Mindel, Costrell

Absent: Gitlow and Dunne were out of town; Cannon was ill. Minor getting special issue of Daily Worker out.

* * * * * * * * * *

C I COMMUNCATIONS

Letter from the Presidium of the CI: That the Plenum of the ECCI will be February 1st, 1928 with the following agenda:

1—Russian Question, 2—Trade Union Question, 3—Chinese question, 4—Question of next World Congress of the CI.

That the provisional agenda for the VI World Congress which will be submitted to the Next Plenum for approval is as follows:

1—Reports—a) of the ECCI b) of the EC YCI c) of the International Control Commission. 2—Confirmation of the Draft Program of the ECCI. 3—War Danger. 4—Colonial question together with Chinese question. 5—Russian Question. 6—Questions concerning individual Sections and mass organizations. 7—Elections.

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Motion by Lovestone:

That we wire mandates to the following comrades in Moscow:

Engdahl, Pepper and Browder with instructions that the delegation should submit a report in writing immediately after the Plenum, to the Party.

Amendment by Foster:

What as we are entitled to four delegates. I nominate Harrison George as well.

Substitute by Lovestone:

That the American Delegation should be Engdahl, Pepper and Browder and if there is no objection to Harrison George on the grounds that he is not a member of the CEC that he should be a regular delegate, otherwise he should be a fraternal delegate.

Voting: All members for the Substitute motion except Weinstone who records his vote against Pepper.

Cable from CI recommending Jenkins to the Party as Organization Instructor.

Motion by Lovestone:

That we inform the Org Dept, that we accept Comrade Jenkins.

Voting: For—Lovestone, Bittelman, Weinstone, Wolfe, Stachel, Lifshitz. Against—Trachtenberg and Foster

Comrade Foster recorded his vote for Voxoff.

Needle Trades

Comrade Lovestone reported that the profit at the Bazaar amounted only to $10,000 and that the Secretariat recommended the following:

1—That the Daily Worker return the $150 given them for advertising
2—The Freiheit return $500
3—The Unit Cooperative return $650
4—The Restaurant return $600
5—The Unit Cooperative return $1,000
6—That the Party get a loan of $2,500 from the Ukranian House in Detroit
7—That the ILD be instructed to make a loan of $3,000 to the needle trades, the basis of repayment to be arranged between the ILD and the needle trades.

8—That the ILD should take over the defense cases and should pay the defense prisoners the regular normal defense and the $60 a week for prisoners should be dropped.

9—That we endorse the arrangement whereby we have sent out Zimmerman and Gold to those people on the special Party contributors' list.

Voting: Carried unanimously.

Petitioner's Exhibit No. 95

MINUTES OF POLITICAL COMMITTEE

JUNE 15, 1928

#40

Meeting opened at 10:00 P.M.
Present: Gitlow, Cannon, Foster, Bittelman, Minor, Swift, Stachel, Lovestone, Weinstone, Zam, Lifshitz, Trachtenberg, Miller, Costrell, Cohen, Aronberg, Siskind, Abern, Gomez, Porter, Markus, Beidenkapp, Wattenberg
Absent: Wolfe, Zam

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Mining: Anthracite

Comrade Swift presented the following decisions of the Mining Subcommittee as motions before the Political Committee:

1—That our general policy should be that we shall not split the local unions of the UMWA now but only in connection with or after the national convention, we shall affiliate the local unions to the Districts and the exception from this policy should be where the majority of the membership is for us and only the leadership of the local unions is against us; in such cases we must split the local unions

2—In the strike regions, our comrades are instructed not to accept anything less than the Jacksonville scale and that until such time as our party, through the left wing organizations, calls off the strike, our Party members who go back to work automatically sacrifice their membership in the Party, it being the Party policy to reinstate these comrades without prejudice upon the calling off of the strike.

Petitioner's Exhibit No. 96

MINUTES OF POLITICAL COMMITTEE

JANUARY 18, 1928

#18

Meeting opened 8:15 P.M.

Present: Foster, Cannon, Wolfe, Lovestone, Dunne, Trachtenberg, Stachel, Lifshitz, Weinstone, Zam, Mindel, Harry, Hermann, Gomez, M, F.

Absent: Minor, Bittelman were ill. Gitlow out of town on tour.

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REPORT OF THE SECRETARIAT

Comrade Lovestone reported for the Secretariat, covering the following points: Joint Defense Bazaar which was not as good as expected. Political situation in needle trades much better but will be hurt by financial situation unless this can be improved; Women's Organization in Minnesota suggests calling national conference of women's organizations in country; Dues report last month good, with small exempt proportion the unemployment affects Party great deal, initiation stamps since September over thousand; letter from Bedacht regarding wages; Blue Blouses being toured by Workers International Relief and the question of their being asked to come here; appeal by Koretz against decision of Secretariat that he go to Chicago; letter from Hamilton on coal situation; ILD—its cases, organization, etc. with respect to Paris Commune, Plan for Jewish section received from Cannon but none from Lifshitz, Recommendations from Mopr for Chinese defense, Cannon's tour in February, Fraction meetings of National Committee and Executive Council. The following recommendations by the Secretariat on the above were presented:

1—That the Women's Conference be held

2—To defer action on the Bedacht request until the Plenum when the matter will be taken up with Comrade Bedacht

3—That a new organization be formed to tour the Blue Blouses, the proceeds to be distributed as follows: 40% to National Office of Party, 25% to the Daily Worker, 10% to the Freiheit and 25% to the W I R

4—That the needle trades comrades find some other comrade to go to Chicago to take the place of Comrade Koretz.

5—To endorse the proposal of Comrade Hamilton on the coal situation in principle and try out the plan in its practical aspects.

6—That the usual procedure of the ILD in connection with the Paris Commune celebration be followed

7—That the Party fraction in the National Committee of the ILD hold a meeting once a month and the Fraction in the Executive Council meet when called.

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YWL

On the delegation to the C I Plenum.

Motion by Lovestone:

> The Secretariat recommends that the YWL representative to the Kim should be a fraternal delegate to the CI Plenum.

Voting: Carried unanimously

Petitioner's Exhibit No. 97

MINUTES OF POLITICAL COMMITTEE

JUNE 27, 1928

#41

Meeting opened at 9:00 P.M.

Present: Gitlow, Aronberg, Minor, Olgin, Ballam, Costrell, Herberg, Abern, Stachel, Trachtenberg, Miller, Lifshitz, Weisbord, Hungarian Buro representative

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MOORE APPEAL

Re appeal sent by Moore on the election of delegates to the CI Congress. The appeal is as follows:

> "Appeal against Polcom decision reducing Negro delegation to two, Whiteman Phillips despite CI instruction send good representative Negro delegation stop realizing important thoro analysis Negro work Negro conference recommended five most active leading comrades Moorehead Negro Department Secretary ANLC, CEC member, Fulp left wing leader minors strike, Doty organizer Negro plumbers, Whiteman organizer ANLC Ford delegate Profintern stop exclusion head Negro work narrow manouvre prevent thorough analysis errors especially request ECCI require Moore be delegate stop immediate answer necessary. Moore"

Motions by Stachel:

That the acting secretary be authorized to answer the appeal along the following lines:

1—That in our opinion four delegates, two regular and two fraternal will be able to present the Negro work of the Party and take up important problems facing us in this work

2—That Moore was not selected because the Polcom has no confidence in him as a delegate to the Comintern because

a) He attacked the Party before non-Party members,
b) He justified attacks by non-Party members, such as Warreno,
c) Failure to issue a statement disassociating himself with Warreno and attacking him, altho asked to do so for the last six months,
d) Moore is not a member of the CEC but an alternate,
e) Moore, as head of the Negro Department for one year, did not get out one issue of the Champion, but only when the Party put on two special people in the last week did we finally get out the Negro Champion,
f) In all this one year, Moore did not get one Negro member into the Party,
g) Did not issue a single piece of literature or application blank,
h) general incompetence

3—Moore refused to come out as Party member, and only recently when the Negro Committee voted this unanimously, did he do so.

Voting: For: All comrades except
Against: Aronberg
Abstain: Costrell
CARRIED

Petitioner's Exhibit No. 98

MINUTES OF THE POLITICAL COMMITTEE OF THE CEC

Polcom #68

NOVEMBER 14, 1928

Meeting opened at 11:30 A.M.

Present: Pure, Swift, Lovestone, Bedacht, Minor, Gitlow, Stachel, Wolfe, Aronberg, Bittelman, Foster, Kaplan, Wicks, Lifshitz, Huiswood.

Also: Marcus, Benjamin, Wagenknecht, Smith, Crouch, Miller, Costrell

Agenda:
1—International Communications
2—Convention Arrangements
3—Election Campaign Reports
4—Douglas Letter
5—Cannon-Trotsky Investigation
6—New Bedford Situation
7—Cooperative Matters

I. INTERNATIONAL COMMUNICATIONS

Communications presented as follows:

LENIN SCHOOL

Motions by Lovestone:

1—To have a Sub-committee of three be in charge of considering applicants for the Lenin School and bring a report to the Polbureau.

2—That a letter be addressed to all DOs notifying them to the effect that there are seven vacancies open for the Lenin School this year in the American Party quota and that the DOs should take up through the District Executive Committee the question of recommending applicants, who should then fill out the questionnaire to be mailed to such applications, such questionnaire to be prepared by the Sub-committee.

Voting: Carried unanimously.

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YOUNG WORKERS LEAGUE

Report by Lovestone of decision to delay action on the question of the Kim letter until it has been reviewed by the Polcom. A wire has been received from Engdahl to the effect that the CI itself is now examining the letter. We must state our opinion on the matter; that the Anglo-American Secretariat has condemned the letter. The matter

a) He attacked the Party before non-Party members,
b) He justified attacks by non-Party members, such as Warreno,
c) Failure to issue a statement disassociating himself with Warreno and attacking him, altho asked to do so for the last six months,
d) Moore is not a member of the CEC but an alternate,
e) Moore, as head of the Negro Department for one year, did not get out one issue of the Champion, but only when the Party put on two special people in the last week did we finally get out the Negro Champion,
f) In all this one year, Moore did not get one Negro member into the Party,
g) Did not issue a single piece of literature or application blank,
h) general incompetence

3—Moore refused to come out as Party member, and only recently when the Negro Committee voted this unanimously, did he do so.

Voting: For: All comrades except
Against: Aronberg
Abstain: Costrell
CARRIED

Petitioner's Exhibit No. 98

MINUTES OF THE POLITICAL COMMITTEE OF THE CEC

Polcom #68

November 14, 1928

Meeting opened at 11:30 A.M.

Present: Pure, Swift, Lovestone, Bedacht, Minor, Gitlow, Stachel, Wolfe, Aronberg, Bittelman, Foster, Kaplan, Wicks, Lifshitz, Huiswood.

Also: Marcus, Benjamin, Wagenknecht, Smith, Crouch, Miller, Costrell

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Voting: Carried unanimously.

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YOUNG WORKERS LEAGUE

Report by Lovestone of decision to delay action on the question of the Kim letter until it has been reviewed by the Polcom. A wire has been received from Engdahl to the effect that the CI itself is now examining the letter. We must state our opinion on the matter; that the Anglo-American Secretariat has condemned the letter. The matter is now before the Political Secretariat of the CI which will not act until statement of the CEC is received.

Motion by Lovestone:

That the question of the Kim letter be the first order of business at the next meeting.

Voting:

For: All comrades except
Against: Foster, Bittelman

Amendment by Stachel:

That the letter be furnished to Polcom members immediately

Voting:

For: All comrades except
Against: Foster, Bittelman

Amendment by Aronberg:

That the NEC of the YWL furnish to every member of the Polcom a copy of the mimeographed letter which has been ready for the last two weeks.

Voting:

For: Foster, Bittelman
Against: All others

Motion by Lovestone:

That the Polbureau notify the CI that the question is being considered and that in one week the statement of the CEC will be sent to the CI.

Voting:

For: All comrades except
Against: Foster, Bittelman

Motion by Bittelman:

That the Polcom informs the NEC of the YWL that it shall proceed immediately with the carrying out of the decisions of the YCI letter and they immediately make public this letter. 2) That before we send any communication on the matter to the Political Secretariat of the Comintern, that we be presented with the official request of the Comintern on that matter.

Motion #1 lost.

Voting:
For: Foster, Bittelman.
Opposed: All others.

Motion #2 carried unanimously.

Statement by Kaplan:

1—The letters have been held up on request of the Polcom.
2—The Polcom requested holding up the letter due to its political contents.
3—The organizational decisions, etc., the NEC has proceeded to carry into effect.

Amendment by Swift to Bittelman's Motion: The Polcom approves the action of the NEC of the Young Workers League in carrying out the concrete suggestions of the YCI regarding youth work.

Questions by Bittelman to Kaplan:

1—Whether the NEC of the YWL has discussed and acted upon the line, the political line of the YCI letter and the concrete recommendations contained therein.
2—If they have discussed the letter and have acted on it, was that action in favor of the political line of that letter or against the political line of that letter.
3—If the action taken by the NEC is against the political line, what are the reasons for it.

Reply by Kaplan:

The NEC on request of the Polcom did not take action on the letter; that is, we did not take action on the questions which the Polcom wished to take up further, namely, the political contents of that letter particularly dealing with the Party situation. The NEC had a thorough discussion on the letter and the NEC also made decisions on all questions which involved the youth work as well as the organizational decisions contained within the letter. These decisions are being carried out at the present time.

Letter from International Arbeiter Hilfe read by Swift:

Profintern has a resolution to organize strike relief nationally and internationally and requests us to take up the question with WIR and take necessary measures.

Motion by Swift:

That the suggestion of the CEC of the WIR regarding the Profintern resolution should be taken up by the secretariat together with the TUEL and WIR. Carried unanimously.

Motion by Swift:

Regarding the Right danger in the Comintern. In order to fully inform the whole Party membership about new manifestations of the Right danger in the various sections of the CI and in order to combat the Right danger, the Polcom instructs the Party press to print the following documents:

1—Documents regarding the Thaelmann case.
2—Documents about the new outbreak of Brandlerism in the German Party.
3—The October statement of the CEC of the CPSU regarding the errors committed in the Moscow organization.
4—The speech of Comrade Stalin delivered at the plenary session of the Moscow Committee.

The Polcom instructs the Agitprop to print in the next issue of the Communist an article explaining and combatting these manifestations of the Right danger within the CI and instructs the Party press printing and editorially commenting on and explaining the abovementioned documents.

Carried.

Amendment by Wolfe:

> That the letter from the CI to the Czecho-Slovakian Party be included in the documents.

Carried.

* * * * * * * * * *

Report by Foster on Trade Union appropriation.

Motion by Lovestone:

> That the Polburo takes cognizance of the following facts:

1—These funds were sent and received here during the absence of Foster and Lovestone as members of the secretariat.

2—These funds were sent through the regular cannels and received as such.

3—The information received during the absence of Comrades Foster and Lovestone regarding these funds was confusing.

4—That the funds however were spent entirely for mining work and even far in excess of the appropriation.

5—That the Secretariat go over the accounts of the mining expense from date of receipt of funds till today and check up to see if any money has not yet been spent on mining, if any debts were contracted on the basis of this appropriation, the secretariat take steps to meet the debts.

6—The Polcom takes note of the fact that almost all the debts contracted on the basis of the appropriation of this sort forthcoming, have already been paid.

Voting:

In favor: All comrades except
Against: Foster, Bittelman

Motion by Foster:

That this action of these comrades be disapproved and also the application of this money to general Party expense should also be disapproved.

Voting:

In favor: Foster, Bittelman
Against: All others.

* * * * * * * * * *

Motion by Wolfe:

That we invite fraternal delegates to our convention from the Mexican and Canadian Parties, declaring our willingness to defray the expenses and utilize that to make further plans for our struggle against American imperialism.

Carried.

Petitioner's Exhibit No. 99

MINUTES OF POLITICAL COMMITTEE OF C.E.C.

#70 11|23/28p

Meeting opened at 4:00 P.M.

Present: Stachel, Gitlow, Foster, Lovestone, Bittelman, Wolfe, Swift, Minor, Aronberg, Zam, Weinstone, Bedacht, Lifshitz, Kaplan, Weisbord, Marcus, Ballam, Wagenknecht, Mindel, Zelms.

Agenda: Continued from previous meeting.

Y W L

Cable received from Engdahl to the effect that the appeal of the Polcom on the letter from the YCI and YWL is being considered by the Comintern. Comrade Bedacht presented the attached statement for adoption by the CEC of the Party.

Motions by Bedacht:

1—That the letter be sent immediately as appeal by the CEC to the CI against the YCI letter

2—That the NEC of the YWL of America be instructed to send out this appeal together with the letter of the YCI to its units.

Voting:

For: Stachel, Gitlow, Lovestone, Swift, Bedacht, Wolfe
Against: Foster, Bittelman
Carried.

Petitioner's Exhibit No. 101

WORKERS COMMUNIST PARTY OF AMERICA
NATIONAL OFFICE

STATEMENT OF CASH RECEIPTS AND CASH EXPENDITURES FOR MONTH ENDED DECEMBER 31, 1927

CASH RECEIPTS

Dues Stamps CS		$2,002.87
Initiation Stamps CS		84.50
Supply Department CS—		
10th Anniversary Buttons	$ 25.00	
Literature	13.66	
Leaflets	230.02	
Org Supplies	13.30	
Lenin Buttons	100.00	381.98
Convention Stamps		26.50
Fight Injunction Fund		6.00
Donations Received		1,230.00
NO Share District Affairs		287.85
Lenin Student Exp Refund		1,350.00
Negro Student Exp Refund		710.00
Account #26 Refund		90.00
Proceeds Tenth Anniversary Meetings		47.16
Loans Receivable—Dist 7		45.00

Rents Received—YWL	$ 50.00	
Literature Dept	70.00	120.00
Check Exchanges		125.40
CASH RECEIVED FOR DECEMBER 1927		$6,507.26

Petitioner's Exhibit No. 102A

Received—		
Nemser		$20,300.00
Julius		1,000.00
Foshers		3,252.00
Manly		3,350.00
		$27,902.00
Paid out—		
Marcus		$ 1,000.00
Mining		5,179.46
On hand		1,500.00
N. O.		21,650.00
	1,427.46	$29,329.46

Petitioner's Exhibit No. 103A

SPECIAL DELEGATION TRIP ACCOUNT

MARCH 21ST TO 26TH, 1929 INCL.

JAY LOVESTONE

Received		
3-22-29 Loan Golos	$2,000.00	
3-21-29 Marcus Fare	222.31	
3-21-29 Verne Re Canton Loan	420.74	
3-22-29 Donation Bob Minor	30.00	
3-22-29 Verne Re Canton Loan	200.00	
3-22-29 Loan Neiuser	300.00	
Total Received	$3,173.05	$3,173.05

Spent

3-22-29 S. S. Tickets	$1,800.00	
3-22-29 Huiswood Permit	10.00	
3-22-29 Dirbg General office	400.00	
3-24-29 Huiswood Balance	60.00	
3-24-29 Welsh Balance	60.00	
3-24-29 Bedacht Balance	70.00	
3-24-29 Gitlow Balance	70.00	
3-24-29 Lovestone Balance	70.00	
3-24-29 Miller Balance	70.00	
3-24-29 Myerscough Balance	60.00	
3-24-29 Bloor Balance	70.00	
3-24-29 Noral Balance	60.00	
3-24-29 White Balance	70.00	
3-26-29 Cable Aquit.	8.75	
Total Spent	$2,878.75	$2,878.75
April 1, 1929 Balance on Hand Paid to Gitlow		$ 294.30
Settled in full Jay Lovestone		

Petitioner's Exhibit No. 103B

April 4, 1929

Received from James Hay the following:

James Hay	$20.00
W. J. White	20.00
Wm. Lang	20.00
John Jukubowski	20.00
Meyerscough	20.00
Noral	20.00
Fred Houston	20.00
Huiswood	20.00
Mrs. White	10.00

Signatures
W. J. White
John Jukubowski
Ed T. Myerscough
Alex Noral
Fred Houston
Otto Huiswood
Mrs. Mary Ellen White
William H. Lang

Petitioner's Exhibit No. 104

WORKERS (COMMUNIST) PARTY OF AMERICA
43 E. 125TH ST., NEW YORK CITY
NATIONAL OFFICE

November 30, 1927

To all CEC Members
& Party Functionaries

Dear Comrades:

In response to requests from Party functionaries who wish to obtain books published by the International Publishers, at reduced prices, Alexander Trachtenberg of International Publishers met with the Secretariat and upon his recommendations, the Secretariat adopted the following decision:

> All members of the CEC, DOs, and other *paid* Party functionaries are invited to purchase books of International Publishers direct from the Publishers at 381 Fourth Avenue, New York City, at a discount of 33⅓% (⅓) off the retail price of their books. These purchases must be *cash transactions* and for *personal* use only.

This arrangement with International Publishers should enable all Party functionaries to obtain the various important books published by them at a discount allowed to book stores. A list of publications of International Publishers is enclosed and you can send your order to International Publishers, 381 Fourth Avenue, New York City.

Fraternally yours,

For the Secretariat
Jay Lovestone
Executive Secretary

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Petitioner's Exhibit No. 105

WORKERS (COMMUNIST) PARTY OF AMERICA
National Office

1113 W. Washington Blvd., Room 301
Chicago, Ill.
Phone Monroe 4717
C. E. Ruthenberg, *General Secretary*
N. Dozenberg, *Accounts and Supplies Dept.*
Jay Lovestone, *Organization Department*
Max Bedacht, *Agitprop Dept.*
"Daily Worker," Official Daily Organ
J. Louis Engdahl, William F. Dunne, *Editors*

January 15, 1927.

Dear Comrade Gitlow:

When sending in reports on the Needle Trades situation, will you kindly forward copies to the Trade Union Committee. This is very important. Sometimes we lost a day in locating reports, or perhaps in some cases we don't get to see them at all if copies are sent only to the National Office.

In the case of confidential reports, please send them to the following address:

David Rasnik,
4232 Michigan Ave.,
Chicago, Ill.

Fraternally yours,
Wm. Z. Foster

Petitioner's Exhibit No. 108

CENTRAL COMMITTEE COMMUNIST PARTY OF U.S.A.

43 E. 125th St., New York City
AGITPROP DEPARTMENT
December 27, 1929

DISCUSSION OUTLINE FOR LENIN CAMPAIGN

* * * * * * * * * *

6. *Why it is impermissible to violate Party Discipline.*

a) *The Communist Party is based on the principle of Democratic centralization, i.e., absolute subordination of the minority to the majority of the Party, of lower Party organs to higher bodies. Otherwise the Party will be weakened, its authority undermined, and will only strengthen the position of the enemy.* "The negation of Party and Party discipline is the result of the opposition. This is akin to disarming the proletariat in favor of the bourgeoisie. It is akin to that petty bourgeois looseness, instability, incapacity for steady, unified and harmonious action, which, if encouraged, must bring to nought every proletarian revolutionary movement." (Lenin, "Infantile Sickness")

b) The Party has a right to use all measures against those who violate Party discipline.

"Breaches of Party discipline by individual members may be published by censure, public censure, dismissal from office, suspension from the Party, and expulsion from the Party" (from the "Statutes of the Communist Party" adopted at the 6th National Convention.)

* * * * * * * * * *

One who fights the Soviet Union and the Comintern is an agent of capitalism directed against our Party in its campaign to mobilize the workers against imperialist war and for the defense of the Soviet Union.

III. Our Tasks

1. To widely popularize in the Party and in working class organizations the principles of Lenin, especially at this moment, on War and the Role of the Communist Party.
2. To popularize the slogan of civil war against American capitalism.
3. To struggle against pacifism, social-democratic propaganda of disarmament and peace. Building the revolutionary trade unions of the Communist Party is the first guarantee of our ability to mobilize the workers for the struggle against war and in defense of the Soviet Union.
4. To establish functioning nuclei amongst the armed forces of American capitalism.
5. To devote more attention to the role of American imperialism and American colonies and protectorates and for direct support of these colonial countries in their struggle against American imperialism.
6. To establish anti-war committees in the factories and link up the struggle against war with the every-day struggles of the workers.
7. Fill our quota in the present recruiting drive of the Party.
8. To struggle against the right danger in the Party, particularly against Lovestone.

Petitioner's Exhibit No. 109

STALIN'S SPEECHES ON THE AMERICAN COMMUNIST PARTY

Delivered in the American Commission of the Presidium
of the Executive Committee of the Communist
International, May 6, 1929

AND

In The Presidium of the Executive Committee of the
Communist International on the American Question,
May 14th, 1929

15 Cents

Published by
Central Committee, Communist Party, U. S. A.

Preface

* * * * * * * * * *

The speeches of Comrade Stalin in the American Commission and at the meeting of the Presidium of the Executive Committee of the Communist International, published herewith, have not only historical but also present political importance. At once they show the line of the Sixth Congress in action and the application to the Communist Party of the United States, of the Sixth Congress decisions on the fight against the Right danger.

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To the gloomy predictions of Lovestone and Gitlow, that the Comintern Address will destroy the American Party, Comrade Stalin answered:

"No comrades, the American Communist Party, will not perish. It will live and flourish to the dismay of the enemies of the working class. Only one small factional group will perish if it continues to be stubborn, if it does not submit to the will of the Comintern, if it continues to adhere to its errors."

These words could be written upon the political grave, or better said, on the Brandlerite political sewer in which now rests Lovestone, Gitlow & Co.

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Comrade Gitlow read it here during the course of his speech. The fundamental feature of this declaration is that it proclaims the thesis of *non-submission* to the decisions of the Presidium of the E. C. C. I. That means that the extreme factionalism of the leaders of the majority has driven them into the path of insubordination, and hence of warfare against the Comintern.

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Thirdly, in that factionalism, by weakening the will for unity in the Party and by undermining its iron discipline, creates within the Party a peculiar factional regime, as a result of which the whole internal life of our Party is robbed of its conspirative protection in the face of the class enemy, and the Party itself runs the danger of being transformed into a plaything of the agents of the bourgeoisie.

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As a result, important secret decisions of the Party become general knowledge. In this way the agents of the bourgeoisie attain access to the secret decisions of the Party and make it easy to use the knowledge of the internal life of the Party against the interests of the Party.

Petitioner's Exhibit No. 117

Daily Worker

August 24, 1929

Enlightenment Campaign on the Comintern Address to the Communist Party

Statement of Political Bureau on Expulsions

Pursuant to the Polbureau decisions of August 12th, the Secretariat of the Central Committee addressed individual letters to all the Party members named in this decision and demanded an answer from them within 48 hours. These individual letters have now been answered by a collective statement signed by D. Benjamin, B. Gitlow, W. Miller, M. Nemser, E. Welsh, W. White, B. Wolfe, and H. Zam.

In their declaration the signatories declare that "The Address and line of the Polbureau based upon it are wrong and injurious," and that "On the basis of the Address the Political Committee is proceeding to wreck the Party," and further, that "we will not cease our struggle," and, finally, that "we fight against the line of the Address and its application by the Polbureau."

The Polbureau and the E. C. C. I. demanded of these members of the Party a repudiation of their declaration of war against the Comintern. They answered this demand by declaring "we will not cease our struggle" and "we fight against the line of the Address and its application by the Polbureau."

The Polbureau and the E. C. C. I. demanded of these members of the Party a repudiation of their insolent counter-revolutionary cable to the E. C. C. I. They ignore this demand.

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The statement of these Party members again reiterated the Lovestone opportunist platform in opposition to the line of the Sixth World Congress. With petty-bourgeois arrogance it declares that the right and duty to define the line of the Communist International does not rest with the Communist International but from among all the millions of members of the Comintern, from among all the dozens of sections of the Comintern, falls upon the shoulders of Lovestone. With the powers of sole arbiter thus allocated to Lovestone, the document proceeds to condemn the revolutionary application and development of the line of the Sixth Congress of the Communist International by the Communist International itself and by the Tenth Plenum of its Executive Committee and to proclaim Lovestone's reformist interpretation the only permissible one.

* * * * * * * * * *

With the declaration that they will continue their fight against the Comintern the signers have registered their unwillingness and unfitness to remain members of our Party. Under lying protestations of adherence to the decisions of the Sixth World Congress they challenge the decisions of the second World Congress concerning the 21 conditions of membership in the Communist International.

In recognition of this undeniable fact and in application of the decisions of the Polbureau of August 12, the following are hereby declared expelled from the Party—D. Benjamin, B. Gitlow, W. Miller, M. Nemser, E. Welsh, W. White, B. D. Wolfe and Herbert Zam.

* * *

Any association with the expelled, any support given them is incompatible with the duties of membership in the Party.

Political Bureau of the
Communist Party of U. S. A.

Petitioner's Exhibit No. 121

FOUNDATIONS OF LENINISM

by Joseph Stalin

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International Publishers Co., Inc.

Introduction

* * * * * * * * * *

Some say that Leninism is the application of Marxism to the peculiar conditions of the situation in Russia. This definition contains a particle of truth, but not the whole truth by any means. Lenin, indeed, applied Marxism to Russian conditions, and applied it in a masterly way. But if Leninism were only the application of Marxism to the peculiar situation in Russia it would be a purely national and only national, a purely Russian and only Russian, phenomenon. We know, however, that Leninism is not merely a Russian, but an international phenomenon rooted in the whole of international development. That is why I think this definition suffers from onesidedness.

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I. THE HISTORICAL ROOTS OF LENINISM

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The *third contradiction* is the contradiction between the handful of ruling "civilised" nations and the hundreds of millions of the colonial and dependent peoples of the world. Imperialism is the most barefaced exploitation and the most inhuman oppression of hundreds of millions of people inhabiting vast colonies and dependent countries. The purpose of this exploitation and of this oppression is to squeeze out super-profits. But in exploiting these countries imperialism is compelled to build railroads, factories and mills there, to create industrial and commercial centres. The appearance of a class of proletarians, the emergence of a native intelligentsia, the awakening of national consciousness, the growth of the movement for emancipation—such are the inevitable results of this "policy." The growth of the revolutionary movement in all colonies and dependent countries without exception clearly testifies to this fact. This circumstance is of importance for the proletariat in that it radically undermines the position of capitalism by converting the colonies and dependent countries from reserves of imperialism into reserves of the proletarian revolution.

Such, in general, are the principal contradictions of imperialism which have converted the old, "flourishing" capitalism into moribund capitalism.

The significance of the imperialist war which broke loose ten years ago lies, among other things, in the fact that it gathered all these contradictions into a single knot and threw them onto the scales, thereby accelerating and facilitating the revolutionary battles of the proletariat.

In other words, imperialism has brought it about, not only that revolution has become a practical inevitability, but also that favourable conditions have been created for a direct onslaught upon the citadels of capitalism.

Such is the international situation which gave birth to Leninism.

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Under these circumstances, could the Russian Communists confine their work within the narrow national bounds of the Russian revolution? Of course not. On the contrary, the whole situation, both domestic (the profound revolutionary crisis) and foreign (the war), impelled them to go beyond these bounds in their work, to transfer the struggle to the international arena, to expose the ulcers of imperialism, to prove that the collapse of capitalism was inevitable, to smash social-chauvinism and social-pacifism, and finally, to overthrow capitalism in their own country and to forge a new fighting weapon for the proletariat—the theory and tactics of the proletarian revolution—in order to facilitate the task of overthrowing capitalism for the proletarians of all countries. Nor could the Russian Communists act otherwise, for only this path offered the chance of producing certain changes in the international situation which could safeguard Russia against the restoration of the bourgeois order.

That is why Russia became the home of Leninism, and why Lenin, the leader of the Russian Communists, became its creator.

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We cannot regard it as a mere accident that as early as 1902, when the Russian revolution was still in an embryonic state, Lenin wrote the following prophetic words in his pamphlet *What Is To Be Done?*:

"History has now confronted us [*i.e.*, the Russian Marxists—*J.S.*] with an immediate task which is the *most revo-*

lutionary of all the *immediate* tasks that confront the proletariat of any country. The fulfilment of this task, the destruction of the most powerful bulwark, not only of European, but also of Asiatic reaction, would make the Russian proletariat the vanguard of the international revolutionary proletariat." (V. I. Lenin, *Selected Works,* Vol. II, p. 50.)*

In other words, the centre of the revolutionary movement was bound to shift to Russia.

As we know, the course of the revolution in Russia has more than vindicated Lenin's prediction.

Is it surprising, after all this, that a country which has accomplished such a revolution and possesses such a proletariat should have been the birthplace of the theory and tactics of the proletarian revolution?

Is it surprising that Lenin, the leader of this proletariat, became the creator of this theory and tactics and the leader of the international proletariat?

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3. THE THEORY OF THE PROLETARIAN REVOLUTION

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But the overthrow of the power of the bourgeoisie and establishment of the power of the proletariat in one country still does not mean that the complete victory of socialism has been ensured. After consolidating its power and taking the peasantry in tow, the proletariat of the victorious country can and must build up a socialist society. But does this mean that it will thereby achieve the complete and final victory of socialism, *i.e.,* does it mean that with the forces of only one country it can finally consolidate socialism and fully guarantee that country against intervention and, consequently, also against restoration? No, it does not. For this the victory of the revolution in at least several countries is needed. Therefore, the development and support of revolution in other countries is an essential task of the victorious

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*** Quotation from English translations of Lenin have been checked with the original and in some cases revised.—*Ed.***

revolution. Therefore, the revolution in the victorious country must regard itself not as a self-sufficient entity but as an aid, as a means of hastening the victory of the proletariat in other countries.

Lenin expressed this thought in a nutshell when he said that the task of the victorious revolution is to do "the utmost possible in one country *for* the development, support and awakening of the revolution *in all countries.*" (*Selected Works,* Vol. VII, p. 182.)

These, in general, are the characteristic features of Lenin's theory of proletarian revolution.

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IV. THE DICTATORSHIP OF THE PROLETARIAT

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The state is a machine in the hands of the ruling class for suppressing the resistance of its class enemies. *In this respect* the dictatorship of the proletariat does not differ essentially from the dictatorship of any other class, for the proletarian state is a machine for the suppression of the bourgeoisie. But there is one *substantial* difference. This difference consists in the fact that all hitherto existing class states have been dictatorships of an exploiting minority over the exploited majority, whereas the dictatorship of the proletariat is the dictatorship of the exploited majority over the exploiting minority.

Briefly: *the dictatorship of the proletariat is the rule—unrestricted by law and based on force—of the proletariat over the bourgeoisie, a rule enjoying the sympathy and support of the labouring and exploited masses.* (*The State and Revolution.*)

From this follow two main conclusions:

First conclusion: The dictatorship of the proletariat cannot be "complete" democracy, democracy for *all,* for the rich as well as for the poor; the dictatorship of the proletariat "must be a state that is democratic *in a new way*—

for * the proletarians and the propertyless in general—and dictatorial *in a new way—against* * the bourgeoisie. . . ." (Lenin, *Selected Works,* Vol. VII, p. 34.)

* * * * * * * * * *

Democracy under capitalism is *capitalist* democracy, the democracy of the exploiting minority, based on the restriction of the rights of the exploited majority and directed against this majority. Only under the dictatorship of the proletariat are real "liberties" for the exploited and real participation in the administration of the country by the proletarians and peasants possible. Under the dictatorship of the proletariat, democracy is *proletarian* democracy, the democracy of the exploited majority, based upon the restriction of the rights of the exploiting minority and directed against this minority.

Second conclusion: The dictatorship of the proletariat cannot arise as the result of the peaceful development of bourgeois society and bourgeois democracy; it can arise only as the result of the smashing of the bourgeois state machine, the bourgeois army, the bourgeois bureaucratic machine, the bourgeois police.

In a preface to *The Communist Manifesto* Marx and Engels wrote, quoting from *The Civil War in France:*

"The working class cannot simply lay hold of the ready-made state machine and wield it for its own purposes." (Marx, *Selected Works,* Vol. I, p. 190.)

In a letter to Kugelmann (1871) Marx wrote that the task of the proletarian revolution is

"no longer as before, to transfer the bureaucratic military machine from one hand to another, but to *smash* it, and that is a preliminary condition for every real people's revolution on the Continent." (Marx, *Selected Works,* Vol. II, p. 528.)

Marx's qualifying phrase about the Continent gave the opportunists and Mensheviks of all countries a pretext for proclaiming that Marx had thus conceded the possibility of the peaceful evolution of bourgeois democracy into a proletarian democracy, at least in certain countries outside the European continent (England, America). Marx did in fact concede that possibility, and he had good grounds for conceding it in regard to England and America in the 'seventies of the last century, when monopoly capitalism and imperialism did not yet exist, and when these countries, owing to the special conditions of their development, had as yet no developed militarism and bureaucracy. That was the situation before the appearance of developed imperialism. But later, after a lapse of thirty or forty years, when the situation in these countries had radically changed, when imperialism had developed and had embraced all capitalist countries without exception, when militarism and bureaucracy had appeared in England and America also, when the special conditions for peaceful development in England and the United States had disappeared—then the qualification in regard to these countries necessarily could no longer hold good.

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* My italics.—*J.S.*

"Today," said Lenin, "in 1917, in the epoch of the first great imperialist war, this qualification made by Marx is no longer valid. Both England and America, the greatest and the last representatives—in the whole world—of Anglo-Saxon 'liberty,' in the sense that militarism and bureaucracy were absent, have slid down entirely into the all-European, filthy, bloody morass of military-bureaucratic institutions to which everything is subordinated and which trample everything underfoot. Today, both in England and in America, the 'preliminary condition for every real people's revolution' is the smashing, the *destruction* of the 'ready-made state machine' (brought in those countries, between 1914 and 1917, to general 'European' imperialist perfection)." (*Selected Works,* Vol. VII, p. 37.)

In other words, the law of violent proletarian revolution, the law of the smashing of the bourgeois state machine as a preliminary condition for such a revolution, is an inevitable law of the revolutionary movement in the imperialist countries of the world.

Of course, in the remote future, if the proletariat is victorious in the most important capitalist countries, and if the present capitalist encirclement is replaced by a socialist encirclement, a "peaceful" path of development is quite possible for certain capitalist countries, whose capitalists, in view of the "unfavourable" international situation, will consider it expedient "voluntarily" to make substantial concessions to the proletariat. But this supposition applies only to a remote and possible future. With regard to the immediate future, there is no ground whatsoever for this supposition.

Therefore, Lenin is right in saying:

"The proletarian revolution is impossible without the forcible destruction of the bourgeois state machine and the substitution for it of a *new one*...." (*Selected Works,* Vol. VII, p. 124.)

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VI. THE NATIONAL PROBLEM

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Formerly, the national problem was usually confined to a narrow circle of questions, concerning, primarily, "cultured" nationalities. The Irish, the Hungarians, the Poles, the Finns, the Serbs and several other European nationalities—that was the circle of disfranchised peoples in whose destinies the heroes of the Second International were interested. The scores and hundreds of millions of Asiatic and African peoples who are suffering national oppression in its most savage and cruel form usually remained outside of their field of vision. They hesitated to put white and black, "civilized" and "uncivilized" on the same plane. Two or three meaningless, lukewarm resolutions, which carefully evaded the question of liberating the colonies—that was all the leaders of the Second International could boast of. Now we can say that this duplicity and halfheartedness in dealing with the national problem has been brought to an end. Leninism laid bare this crying incongruity, broke down the wall between whites and blacks, between Europeans and Asiatics, between the "civilized" and "uncivilized" slaves of imperialism, and thus linked the national problem with the problem of the colonies. The national problem was thereby transformed from a particular and internal state problem into a general and international problem, into a world problem of emancipating the oppressed peoples in the dependent countries and colonies from the yoke of imperialism.

* * * * * * * * * *

The question presents itself as follows: Are the revolutionary possibilities latent in the revolutionary liberation movement of the oppressed countries *already exhausted* or not; and if not, is there any hope, any ground to expect that these possibilities can be utilized for the proletarian revolution, that the dependent and colonial countries can be transformed from a reserve of the imperialist bourgeoisie into a reserve of the revolutionary proletariat, into an ally of the latter?

Leninism replies to this question in the affirmative, *i.e.*, it recognizes the latent revolutionary capacities of the national liberation movement of the oppressed countries and the possibility of utilizing these capacities for the purpose of overthrowing the common enemy, for the purpose of overthrowing imperialism. The mechanics of the development of imperialism, the imperialist war and the revolution in Russia wholly confirm the conclusions of Leninism on this score.

Hence the necessity for the proletariat to support—resolutely and actively to support—the national liberation movement of the oppressed and dependent peoples.

This does not mean, of course, that the proletariat must support *every* national movement, everywhere and always, in every single concrete case. It means that support must be given to such national movements as tend to weaken, to overthrow imperialism, and not to strengthen and preserve it. Cases occur when the national movements in certain oppressed countries come into conflict with the interests of the development of the proletarian movement. In such cases support is, of course, entirely out of the question. The question of the rights of nations is not an isolated, self-sufficient question; it is a part of the general problem of the proletarian revolution, subordinate to the whole, and must be considered from the point of view of the whole. In the forties of the last century Marx supported the national movement of the Poles and Hungarians and was opposed to the national movement of the Czechs and the South Slavs. Why? Because the Czechs and the South Slavs were then "reactionary nations," "Russian outposts" in Europe, outposts of absolutism; whereas the Poles and the Hungarians were "revolutionary nations," fighting against absolutism. Because support of the national movement of the Czechs and the South Slavs was at that time equivalent to indirect support for tsarism, the most dangerous enemy of the revolutionary movement in Europe.

"The various demands of democracy," writes Lenin, "including self-determination, are not an absolute, but a *small part* of the general democratic (now: general socialist) *world* movement. In individual concrete cases, the part may contradict the whole; if so, it must be rejected." (*Collected Works,* Russian edition, Vol. XIX, pp. 257-58.)*

This is the position in regard to the question of certain national movements, of the possible reactionary character of these movements—if, of course, they are appraised not from the formal point of view, not from the point of view of abstract rights, but concretely, from the point of view of the interests of the revolutionary movement.

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VII. STRATEGY AND TACTICS

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The period of the domination of the Second International was mainly a period of the formation and training of the proletarian armies amidst conditions of more or less peaceful development. This was the period when parliamentarism was the principal form of class struggle. Questions of great class conflicts, of preparing the proletariat for revolutionary battles, of the ways and means of achieving the dictatorship of the proletariat, did not seem to be on the order of the day at that time. The task was confined to utilizing all paths of legal development for the purpose of forming and training the proletarian armies, to utilizing parliamentarism in conformity with the conditions under which the status of the proletariat was(and as it seemed then, had to remain) that of an Opposition. It need hardly be proved that in such a period and with such a conception of the tasks of the proletariat there could be neither an integral strategy nor any elaborated tactics. There were fragmentary and detached ideas about tactics and strategy, but no tactics or strategy as such.

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* Cf. Lenin, ***Marx-Engles-Marxism*** (N.Y., 1935), p. 147.—***Ed.***

The mortal sin of the Second International was not that it pursued the tactics of utilizing the parliamentary forms of struggle, but that it overestimated the importance of these forms, that it considered them virtually the only forms; and that when the period of open revolutionary battles set in and the question of extra-parliamentary forms of struggle came to the fore the parties of the Second International turned their backs on these new tasks, refused to shoulder them.

Only in the subsequent period, in the period of direct action by the proletariat, in the period of proletarian revolution, when the question of overthrowing the bourgeoisie became a question of immediate action; when the question of the reserves of the proletariat (strategy) became one of the most burning questions; when all forms of struggle and of organization, parliamentary and extra-parliamentary (tactics) had fully mainfested themselves and became well-defined—only in this period could an integral strategy and elaborated tactics for the struggle of the proletariat be drawn up. It was precisely in that period that Lenin brought out into light of day the brilliant ideas of Marx and Engels on tactics and strategy that had been immured by the opportunists of the Second International. But Lenin did not confine himself to restoring certain tactical propositions of Marx and Engels. He developed them further and supplemented them with new ideas and propositions, combining them all into a system of rules and guiding principles for the leadership of the class struggle of the proletariat. Lenin's pamphlets, such as *What Is To Be Done?; Two Tactics; Imperialism; State and Revolution; The Proletarian Revolution and the Renegade Kautsky; "Left-Wing" Communism,* etc., will undoubtedly always be treasured as priceless contributions to the general store of Marxism, to its revolutionary arsenal. The strategy and tactics of Leninism constitute the science of leadership of the revolutionary struggle of the proletariat.

2. STAGES OF THE REVOLUTION, AND STRATEGY

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Our revolution already passed through two stages, and after the October Revolution it has entered a third stage. Our strategy changed accordingly.

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Third stage. Commenced after the October Revolution. Objective: to consolidate the dictatorship of the proletariat in one country, using it as a base for the overthrow of imperialism in all countries. The revolution is spreading beyond the confines of one country; the period of world revolution has commenced. The main forces of the revolution: the dictatorship of the proletariat in one country, the revolutionary movement of the proletariat in all countries. Main reserves: the semi-proletarian and small-peasant masses in the developed countries, the liberation movement in the colonies and dependent countries. Direction of the main blow: isolation of the petty-bourgeois democrats, isolation of the parties of the Second International, which constitute the main support of the policy of *compromise* with imperialism. Plan for the disposition of forces: alliance of the proletarian revolution with the liberation movement in the colonies and the dependent countries.

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3. THE FLOW AND EBB OF THE MOVEMENT, AND TACTICS

Tactics are the determination of the line of conduct of the proletariat in the comparatively short period of the flow or ebb of the movement, of the rise or decline of the revolution, the fight to carry out this line by means of replacing old forms of struggle and organization by new ones, old slogans by new ones, by combining these forms, etc. While the object of strategy is to win the war against tsarism, let us say, or against the bourgeoisie, to carry the struggle against tsarism or against the bourgeoisie to its end, tactics concern themselves with less important objects, for they aim not at winning the war as a whole, but at winning a particular engagement, or a particular battle, at carrying through successfully a particular campaign or a particular action corresponding to the concrete circumstances in the given period of rise or decline of the revolution. Tactics are a part of strategy, subordinate to it and serving it.

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6. REFORMISM AND REVOLUTIONISM

What is the difference between revolutionary tactics and reformist tactics?

Some think that Leninism is opposed to reforms, opposed to compromises and to agreements in general. This is absolutely wrong. Bolsheviks know as well as anybody else that in a certain sense "every little helps," that under certain conditions reforms in general, and compromises and agreements in particular, are necessary and useful.

"To carry on a war for the overthrow of the international bourgeoisie," says Lenin, "a war which is a hundred times more difficult, protracted and complicated than the most stubborn of ordinary wars between states, and to refuse beforehand to manoeuvre, to utilize the conflict of interests (even though temporary) among one's enemies, to refuse to temporise and compromise with possible (even though transient, unstable, vacillating and conditional) allies—is not this ridiculous in the extreme? Is it not the same as if in the difficult ascent of an unexplored and heretofore inaccessible mountain we were to renounce beforehand the idea that at times we might have to go in zigzags, sometimes retracing our steps, sometimes giving up the course once selected and trying various others?" (*Selected Works,* Vol. X, p. 111.)

Obviously, therefore, it is not a matter of reforms or of compromises and agreements, but of the use people make of reforms and compromises.

To a reformist, reforms are everything, while revolutionary work is something incidental, something just to talk about, mere eyewash. That is why, with reformist tactics under the bourgeois regime, reforms are inevitably transformed into an instrument for strengthening that regime, an instrument for disintegrating the revolution.

To a revolutionary, on the contrary, the main thing is revolutionary work and not reforms; to him reforms are by-products of the revolution. That is why, with revolutionary tactics under the bourgeois regime, reforms are naturally transformed into instruments for disintegrating this regime, into instruments for strengthening the revolution, into a base for further development of the revolutionary movement.

The revolutionary will accept a reform in order to use it as an aid in combining legal work with illegal work, to intensify, under its cover, the illegal work for the revolutionary preparation of the masses for the overthrow of the bourgeoisie.

This is what making revolutionary use of reforms and agreements under the conditions of imperialism means.

The reformist, on the contrary, will accept reforms in order to renounce all illegal work, to thwart the preparation of the masses for the revolution and to rest in the shade of "bestowed" reforms.

This is what reformist tactics means.

This is the position in regard to reforms and agreements under imperialism.

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VIII. THE PARTY

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But the Party is not merely the *sum* of Party organizations. The Party at the same time represents a single *system* of these organizations, their formal amalgamation into a single whole, with higher and lower leading bodies, with subordination of the minority to the majority, with practical decisions binding on all members of the Party. Without these conditions the Party cannot be a single organized whole capable of exercising systematic and organized leadership in the struggle of the working class.

"*Formerly,*" says Lenin, "our Party was not a formally organized whole, but only the sum of separate groups, and therefore no other relations except those of ideological influence were possible between these groups. *Now* we have become an organized Party, and this implies the establishment of authority, the transformation of the power of ideas into the power of authority, the subordination of lower Party bodies to higher Party bodies." (*Ibid.*, p. 291.)

The principle of the minority submitting to the majority, the principle of directing Party work from a centre, not infrequently gives rise to attacks on the part of wavering elements, to accusations of "bureaucracy," "formalism," etc. It need hardly be proved that systematic work by the Party, as one whole, and the directing of the struggle of the working class would have been impossible if these principles had not been adhered to. Leninism in the organizational question means unswerving application of these principles. Lenin terms the fight against these principles "Russian nihilism" and "aristocratic anarchism," deserving only of being ridiculed and swept aside.

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The achievement and maintenance of the dictatorship of the proletariat is impossible without a party which is strong by reason of its solidarity and iron discipline. But iron discipline in the Party is inconceivable without unity of will, without complete and absolute unity of action on the part of all members of the Party. This does not mean, of course, that the possibility of contests of opinion within the Party is thereby precluded. On the contrary, iron discipline does not preclude but presupposes criticism and contest of opinion within the Party. Least of all does it mean that discipline must be "blind." On the contrary, iron discipline does not preclude but presupposes conscious and voluntary submission, for only conscious discipline can be truly iron discipline. But after a contest of opinion has been closed, after criticism has been exhausted and a decision has been arrived at, unity of will and unity of action of all Party members are the necessary condition without which neither Party unity nor iron discipline in the Party is conceivable.

"In the present epoch of acute civil war," says Lenin, "a Communist Party will be able to perform its duty only if it is organised in the most centralised manner, only if iron discipline bordering on military discipline prevails in it, and if its Party centre is a powerful and authoritative organ, wielding wide powers and enjoying the universal confidence of the members of the Party." (*Selected Works,* Vol. X, p. 204.)

This is the position in regard to discipline in the Party in the period of struggle preceding the achievement of the dictatorship.

The same, but to an even greater degree, must be said about discipline in the Party after the dictatorship has been achieved.

"Whoever in the least," says Lenin, "weakens the iron discipline of the Party of the proletariat (especially during its dictatorship) actually aids the bourgeoisie against the proletariat." (*Selected Works,* Vol. X, p. 84.)

But from this it follows that the existence of factions is incompatible either with the Party's unity or with its iron discipline. It need hardly be proved that the existence of factions leads to the existence of a number of centres and the existence of a number of centres connotes the absence of one common centre in the Party, the breaking up of the unity of will, the weakening and disintegration of discipline, the weakening and disintegration of the dictatorship. Of course, the parties of the Second International, which are fighting against the dictatorship of the proletariat and have no desire to lead the proletarians to power, can afford such liberalism as freedom of factions, for they have no need at all for iron discipline. But the parties of the Communist International, which base their activities on the task of achieving and consolidating the dictatorship of the proletariat, cannot afford to be "liberal" or to permit freedom of factions. The Party represents unity of will, which precludes all factionalism and division of authority in the Party.

Hence Lenin's warning about the "danger of factionalism from the point of view of Party unity and of effecting the unity of will of the vanguard of the proletariat as the fundamental condition for the success of the dictatorship of the proletariat," which is embodied in the special resolution of the Tenth Congress of our Party "On Party Unity." (Lenin, *Selected Works,* Vol. IX, p. 132.)

Hence Lenin's demand for the "complete elimination of all factionalism" and the "immediate dissolution of all groups, without exception, that had been formed on the basis of various platforms," on pain of "unconditional and immediate expulsion from the Party." (*Ibid.,* pp. 133-34.)

Petitioner's Exhibit No. 123

The Communist

OFFICIAL ORGAN OF THE COMMUNIST PARTY OF AMERICA
SECTION OF THE THIRD COMMUNIST INTERNATIONAL
MARCH 1, 1921

REPORT OF THE THIRD CONVENTION

Thirty delegates and seven fraternal delegates met somewhere in the U. S. A., and for ten days thrashed out the problems of tactics and organization of the Communist Party, made history, and passed another milestone of the Communist movement in America. The arrangements for the holding of this convention, made by our technical committee, the silent and secret gathering together of the comrades from all parts of the country, and their safe return to their homes, is in itself a story which some day will be told when the annals of the proletariat revolution in America are compiled.

After waiting in vain for the U. C. P. to comply with the mandate of the Communist International to hold a joint convention upon the basis of proportional representation with the Communist Party, in order to effect unity between these two parties, the convention was called by the C. E. C. in compliance with the twenty-one points for affiliation to the Communist International, and to revise its program and constitution, in conformity with the Theses and Statutes of the C.I.

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RESOLUTION ON UNITY WITH THE U. C. P.

The Communist Party of America, in convention assembled, unanimously declares:

That we endorse and confirm the position taken by the former C. E. C. of the Communist Party against holding of a unity convention with the united Communist Party upon the arbitrary basis of equal representation.

We maintain that real and organic unity between the Communist Party of America and the united Communist Party can be reached only upon the basis of proportional representation.

We instruct our central executive committee to maintain this position, which is included in the mandate of the executive committee of the Communist International, unless the Communist International sends other instructions.

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Another amendment was made to insert the words "*for the final destruction* of the burgeois state" and this was accepted by the chairman, and around this motion the question was thrashed out in heated debate. Many new formulations were offered until finally a new committee was elected to reformulate the entire clause. This concluded that day's session, and the next morning the clause was adopted as follows:—"*The Communist Party will systematically and persistently propagate to the working class the idea of the inevitability of, the necessity for a violent revolution and will prepare the working class for armed insurrection as the only means for the destruction of the bourgeois state and the establishment of the proletarian dictatorship based upon soviet power.*" This clause was unanimously adopted by roll call vote by all present.

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The various resolutions adopted by the convention (with the exception of those which are not printed for conspiratorial reasons) will be found on another page in this issue.

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RESOLUTIONS ADOPTED BY C. P. CONVENTION, FEB., 1921

Resolution on Acceptance of the 21 Points for Affiliation with C. I.

The Communist Party of America, Section of the Communist International, assembled in its Special Convention held in February, 1921, hereby reaffirms its position as an integral part of the Communist International.

The Special Convention, in conformity with the conditions for admission adopted by the Second World Congress of the

Communist International, and after discussion and due deliberation, endorses and adopts unanimously, on roll call vote, the 21 Points for Affiliation with the Communist International, as binding upon all the delegates present, and for its entire membership, without any reservations.

Petitioner's Exhibit No. 125

PROGRAMME OF THE COMMUNIST INTERNATIONAL

TOGETHER WITH THE STATUTES OF THE COMMUNIST INTERNATIONAL

WORKERS LIBRARY PUBLISHERS, INC.
39 EAST 125TH STREET, NEW YORK, N. Y.

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INTRODUCTION

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Basing itself on the experience of the revolutionary labor movement on all continents and of all peoples, the Communist International, in its theoretical and practical work, stands wholly and unreservedly upon the ground of *revolutionary Marxism* and its further development, *Leninism,* which is nothing else but Marxism of the epoch of imperialism and proletarian revolution.

Advocating and propagating the *dialectical materialism* of Marx and Engels and employing it as a revolutionary method of conceiving reality, with the view to the revolutionary transformation of this reality, the Communist International wages an active struggle against all forms of bourgeois philosophy and against all forms of theoretical and practical opportunism. Standing on the ground of consistent proletarian class struggle and subordinating the temporary, partial group and national interests of the proletariat to its lasting, general, international interests, the Communist International mercilessly exposes all forms of the doctrine of "*class peace*" that the reformists have accepted from the bourgeoisie. Expressing the historical need for an international organization of revolutionary proletarians—the grave-diggers of the capitalist order—the Communist International is the only international force that has for its programme the dictatorship of the proletariat and Communism, and that openly comes out as the *organizer of the international proletarian revolution.*

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II. The General Crisis of Capitalism and the First Phase of World Revolution

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As a result of the first round of imperialist wars (the world war of 1914-1918) and of the October victory of the working class in the former Russian Tsarist Empire, world economy has been split into two fundamentally hostile camps: the camp of the imperialist States and the camp of the dictatorship of the proletariat in the U.S.S.R. The difference in class structure and in the class character of the government in the two camps, the fundamental differences in the aims each pursues in internal, foreign, economic and cultural policy, the fundamentally different courses of their development, brings the capitalist world into sharp conflict with the victorious proletarian State. Within the framework of a formerly uniform world economy, two antagonistic systems are now contesting against each other: the system of capitalism and the system of socialism. The class struggle, which hitherto was conducted in circumstances when the proletariat was not in possession of State power, is now being conducted on an enormous and really world scale; the working class of the world has now its own State—the one and only fatherland of the international proletariat. The existence of the Soviet Union and the influence it exercises upon the toiling and oppressed masses all over the world is in itself a most striking expression of the profound crisis of the world capitalist system and of the expansion and intensification of the class struggle to a degree hitherto without parallel in history.

The capitalist world, powerless to eliminate its inherent contradictions, strives to establish international associations (the League of Nations) the main purpose of which is to retard the irresistible growth of the revolutionary crisis and to strangle the Soviet Proletarian Republics by war or blockade. At the same time, all the forces of the revolutionary proletariat and of the oppressed colonial masses are rallying around the U.S.S.R. The world coalition of *Capital,* unstable, internally corroded, but armed to the teeth, is confronted by a single world coalition of *Labor.* Thus, as a result of the first round of imperialist wars a new, fundamental antagonism has arisen of world historical scope and significance; the antagonism between the U.S.S.R. and the capitalist world.

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Finally, the revolutionary crisis is inexorably maturing in the very centres of imperialism: the capitalist offensive against the working class, the attack upon the workers' standard of living, upon their organizations and their political rights, and the growth of white terror, rouse increasing resistance on the part of the broad masses of the proletariat and intensify the class struggle between the working class and trustified capital. The great battles fought between Labor and Capital, the accelerated swing to the left of the masses, the growth in the influence and authority of the Communist Parties; the enormous growth of sympathy of the broad masses of workers for the land of the proletarian dictatorship—all this is a clear symptom of the rise of a new revolutionary tide in the centres of imperialism.

Thus, the system of world imperialism, and with it the partial stabilization of capitalism, is being corroded from various causes: First, the antagonisms and conflicts between the imperialist States; second, the rising for the struggle of vast masses in the colonial countries; third, the action of the revolutionary proletariat in the imperialist home countries; and lastly, the hegemony exercised over the whole world revolutionary movement by the proletarian dictatorship in the U.S.S.R. The international revolution is developing.

Against this revolution, imperialism is gathering its forces. Expeditions against the colonies, a new world war, a campaign against the U.S.S.R. are matters which now figure prominently in the politics of imperialism. This must lead to the release of all the forces of international revolution and to the inevitable doom of capitalism.

III. THE ULTIMATE AIM OF THE COMMUNIST INTERNATIONAL —WORLD COMMUNISM

The ultimate aim of the Communist International, to replace world capitalist economy by a world system of Communism. Communist society, the basis for which has been prepared by the whole course of historical development, is mankind's only way out, for it alone can abolish the contradictions of the capitalist system which threaten to degrade and destroy the human race.

Communist society will abolish the class division of society, i.e., simultaneously with the abolition of anarchy in production, it will abolish all forces of exploitation and oppression of man by man. Society will no longer consist of antagonistic classes in conflict with each other, but will represent a united commonwealth of labor. For the first time in its history mankind will take its fate into its own hands. Instead of destroying innumerable human lives and incalculable wealth in struggles between classes and nations, mankind will devote all its energy to the struggle against the forces of nature, to the development and strengthening of its own collective might.

After abolishing private ownership in the means of production and converting them into social property, the world system of Communism will replace the elemental forces of the world market, of competition and the blind process of social production, by consciously organized and planned production for the purpose of satisfying rapidly growing social needs. With the abolition of competition and anarchy in production, devastating crises and still more devastating wars will disappear. Instead of colossal waste of productive forces and spasmodic development of society—there will be planned utilization of all material resources and painless economic development on the basis of unrestricted, smooth and rapid development of productive forces.

The abolition of private property and the disappearance of classes will do away with the exploitation of man by man. Work will cease to be toiling for the benefit of a class enemy: instead of being merely a means of livelihood it will become a necessity of life: want and economic inequality, the misery of enslaved classes, and a wretched standard of life generally will disappear; the hierarchy created in the division of labor system will be abolished together with the antagonism between mental and manual labor; and the last vestige of the social inequality of sexes will be removed. At the same time, the organs of class domination, and the State in the first place, will disappear also. The State, being the embodiment of class domination, will die out in so far as classes die out, and with it all measures of coercion will expire.

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IV. THE PERIOD OF TRANSITION FROM CAPITALISM TO SOCIALISM AND THE DICTATORSHIP OF THE PROLETARIAT

I. The Transition Period and the Conquest of Power by the Proletariat

Between capitalist society and Communist society a period of revolutionary transformation intervenes, during which the one changes into the other. Correspondingly, there is also an intervening period of political transition, in which the essential State form is the revolutionary dictatorship of the proletariat. The transition from the world dictatorship of imperialism to the world dictatorship of the proletariat extends over a long period of proletarian struggles with defeats as well as victories; a period of continuous general crisis in capitalist relationships and growth of social revolutions, i.e., of proletarian civil wars against the bourgeoisie; a period of national wars and colonial rebellions which, although not in themselves revolutionary proletarian socialist movements, are nevertheless, objectively, insofar as they undermine the domination of imperialism, constituent parts of the world proletarian revolution; a period in which capitalist and social economic and social systems exist side by side in "peaceful" relationships as well as in armed conflict; a period of formation of a Union of Soviet Republics; a period of wars of imperialist States against Soviet States; a period in which the ties between the Soviet States and colonial peoples become more and more closely established, etc.

Uneven economic and political development is an absolute law of capitalism. This unevenness is still more pronounced and acute in the epoch of imperialism. Hence, it follows that the international proletarian revolution cannot be conceived as a single event occurring simultaneously all over the world; at first socialism may be victorious in a few, or even in one single capitalist country. Every such proletarian victory, however, broadens the basis of the world revolution and consequently, still further intensifies the general crisis of capitalism. Thus, the capitalist system as a whole reaches the point of its final collapse; the dictatorship of finance capital perishes and gives place to the dictatorship of the proletariat.

Bourgeois revolutions brought about the political liberation of a system of productive relationships that had already established itself and become economically dominant, and transferred political power from the hands of one class of exploiters to the hands of another. Proletarian revolution, however, signifies the forcible invasion of the proletariat into the domain of property relationships of bourgeois society, the expropriation of the expropriating classes, and the transference of power to a class that aims at the radical reconstruction of the economic foundations of society and the abolition of all exploitation of man by man. The political domination of the feudal barons all over the world was broken in a series of separate bourgeois revolutions that extended over a period of centuries. The international proletarian revolution, however, although it will not be a single simultaneous act, but one extending over a whole epoch, nevertheless—thanks to the closer ties that now exist between the countries of the world, will accomplish its mission in a much shorter period of time. Only after the proletariat has achieved victory and consolidated its power all over the world will a prolonged period of intensive construction of world socialist economy set in.

The conquest of power by the proletariat is a necessary condition precedent to the growth of socialist forms of economy and to the cultural growth of the proletariat, which changes its own nature, perfects itself for the leadership of society in all spheres of life, draws into this process of transformation all other classes and thus prepares the ground for the abolition of classes altogether.

In the struggle for the dictatorship of the proletariat, and later for the transformation of the social system, as against the alliance of capitalists and landlords an alliance of workers and peasants is formed, under the intellectual and political hegemony of the former, an alliance which serves as the basis for the dictatorship of the proletariat.

The characteristic feature of the transition period as a whole, is the ruthless suppression of the resistance of the exploiters, the organization of Socialist Construction, the mass training of men and women in the spirit of Socialism and the gradual disappearance of classes. Only to the extent that these great historical tasks are fulfilled will society of the transition period become transformed into Communist society.

Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transition of world capitalist economy to socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved in certain countries or groups of countries, when the newly established proletarian republics enter into a federal union with the already existing proletarian republics, when the number of such federations has grown and extended also to the colonies which have emancipated themselves from the yoke of imperialism; when these federations of republics have finally grown into a World Union of Soviet Socialist Republics uniting the whole of mankind under the hegemony of the international proletariat organized as a State.

The conquest of power by the proletariat does not mean peacefully "capturing" the ready-made bourgeois State machinery by means of a parliamentary majority. The bourgeoisie resorts to every means of violence and terror to safeguard and strengthen its predatory property and its political domination. Like the feudal nobility of the past, the bourgeoisie cannot abandon its historical position to the new class without a desperate and frantic struggle. Hence, the violence of the bourgeoisie can be suppressed only by the stern violence of the proletariat. The conquest of power by the proletariat is the violent overthrow of bourgeois power, the destruction of the capitalist State apparatus (bourgeois armies, police, bureaucratic hierarchy, the judiciary, parliaments, etc.), and substituting in its place new organs of proletarian power, to serve primarily as instruments for the suppression of the exploiters.

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V. THE DICTATORSHIP OF THE PROLETARIAT IN THE U.S.S.R. AND THE INTERNATIONAL SOCIAL REVOLUTION

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3. THE DUTIES OF THE INTERNATIONAL PROLETARIAT TO THE U. S. S. R.

In view of the fact that the U.S.S.R. is the only fatherland of the international proletariat, the principal bulwark of its achievements and the most important factor for its international emancipation, the international proletariat must on its part facilitate the success of the work of Socialist construction in the U.S.S.R. and defend her against the attacks of the capitalist powers by all the means in its power.

"The world political situation has made the dictatorship of the proletariat an immediate issue, and all the events of world politics are inevitably concentrating around one central point, namely, the struggle of the world bourgeoisie against the Soviet Russian Republic, which must inevitably group around itself the Soviet movements of the advanced workers of all countries on the one hand, and all the national liberation movements of the colonial and oppressed nationalities on the other." (Lenin).

In the event of the imperialist States declaring war upon and attacking the U.S.S.R., the international proletariat must retaliate by organizing bold and determined mass action and struggling for the overthrow of the imperialist governments with the slogan of: Dictatorship of the proletariat and alliance with the U.S.S.R.

In the colonies, and particularly the colonies of the imperialist country attacking the U.S.S.R., every effort must be made to take advantage of the diversion of the imperialist military forces to develop an anti-imperialist struggle and to organize revolutionary action for the purpose of throwing off the yoke of imperialism and of winning complete independence.

The development of Socialism in the U.S.S.R. and the growth of its international influence not only rouse the hatred of the capitalist States and their Social-Democratic agents against her, but also inspire the toilers all over the world with sympathy towards her and stimulate the readiness of the oppressed classes of all countries to fight with all the means in their power for the land of the proletarian dictatorship, in the event of an imperialist attack upon her.

Thus, the development of the contradictions within modern world economy, the development of the general capitalist crisis, and the imperialist military attack upon the

Soviet Union inevitably lead to a mighty revolutionary outbreak which must overwhelm capitalism in a number of the so-called civilized countries, unleash the victorious revolution in the colonies, broaden the base of the proletarian dictatorship to an enormous degree and thus, with tremendous strides, bring nearer the final world victory of Socialism.

VI. THE STRATEGY AND TACTICS OF THE COMMUNIST INTERNATIONAL IN THE STRUGGLE FOR THE DICTATORSHIP OF THE PROLETARIAT

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2. THE FUNDAMENTAL TASKS OF COMMUNIST STRATEGY AND TACTICS

The successful struggle of the Communist International for the dictatorship of the proletariat presupposes the existence in every country of a compact Communist Party, hardened in the struggle, disciplined, centralized, and closely linked up with the masses.

The Party is the vanguard of the working class and consists of the best, most class-conscious, most active, and most courageous members of that class. It incorporates the whole body of experience of the proletarian struggle. Basing itself upon the revolutionary theory of Marxism and representing the general and lasting interests of the whole of the working class, the Party personifies the unity of proletarian principles, of proletarian will and of proletarian revolutionary action. It is a revolutionary organization, bound by iron discipline and strict revolutionary rules of democratic centralism, which can be carried out thanks to the class-consciousness of the proletarian vanguard, to its loyalty to the revolution, its ability to maintain inseparable ties with the proletarian masses and to its correct political leadership, which is constantly verified and clarified by the experiences of the masses themselves.

In order that it may fulfill its historic mission of achieving the dictatorship of the proletariat, the Communist Party must first of all set itself and accomplish the following fundamental *strategic* aims:

Extend its influence over the *majority of the members of its own class,* including working women and the working youth. To achieve this the Communist Party must secure predominant influence in the broad mass proletarian organizations (Soviets, trade unions, factory councils, co-operative societies, sport organizations, cultural organizations, etc.). It is particularly important for the purpose of winning over the majority of the proletariat, to capture the *trade unions,* which are genuine mass working class organizations closely bound up with the every-day struggles of the working class. To work in reactionary trade unions and skillfully to capture them, to win the confidence of the broad masses of the industrially organized workers, to change and "remove from their posts" the reformist leaders, represent important tasks in the preparatory period.

The achievement of the dictatorship of the proletariat presupposes also that the proletariat acquires hegemony over *wide sections of the toiling masses.* To accomplish this the Communist Party must extend its influence over the masses of the urban and rural poor, over the lower strata of the intelligentsia and over the so-called "small man," i. e. the petty-bourgeois strata generally. It is particularly important that work be carried on for the purpose of extending the Party's influence over the *peasantry.* The Communist Party must secure for itself the whole-hearted support of that stratum of the rural population that stands closest to the proletariat, i. e. the agricultural laborers and the rural poor. To this end, the agricultural laborers must be organized in separate organizations; all possible support must be given them in their struggles against the rural bourgeoisie, and strenuous work must be carried on among the small allotment farmers and small peasants. In regard to the middle strata of the peasantry in developed capitalist countries, the Communist Parties must conduct a policy to secure their neutrality. The fulfillment of all these tasks by the proletariat,—the champion of the interests of the whole people and the leader of the broad masses in their struggle against the oppression of finance capital,—is an essential condition precedent for the victorious Communist revolution.

The tasks of the Communist International connected with the revolutionary struggle in *colonies, semi-colonies and dependencies* are extremely important strategical tasks in the world proletarian struggle. The colonial struggle presupposes that the broad masses of the working class and of the peasantry in the colonies be rallied round the banner of the revolution; but this cannot be achieved unless the closest co-operation is maintained between the proletariat in the oppressing countries and the toiling masses in the oppressed countries.

While organizing, under the banner of the proletarian dictatorship, the revolution against imperialism in the so-called civilized States, the Communist International supports every movement against imperialist violence in the colonies, semi-colonies and dependencies themselves (for example Latin-America); it carries on propaganda against all forms of chauvinism and against the imperialist maltreatment of enslaved peoples and races, big and small (treatment of Negroes, ‘‘yellow labor’’, anti-semitism, etc.), and supports their struggles against the bourgeoisie of the oppressing nations. The Communist International especially combats the chauvinism that is preached in the Empire-owning countries by the imperialist bourgeoisie as well as by its Social-Democratic agency, the Second International, and constantly holds up in contrast to the practices of the imperialist bourgeoisie the practice of the Soviet Union, which has established relations of fraternity and equality among the nationalities inhabiting it.

The Communist Parties in the *imperialist countries* must render systematic aid to the colonial revolutionary liberation movement and to the movement of oppressed nationalities generally. The duty of rendering active support to these movements rests primarily upon the workers in the countries upon which the oppressed nations are economically, financially or politically dependent. The Communist Parties must openly recognize the right of the colonies to separation and their right to carry on propaganda for this separation, i.e. propaganda in favor of the independence of the colonies from the imperialist State; they must recognize their right of armed defence against imperialism (i. e. the right of rebellion and revolutionary war) and advocate and give active support to this defence by all the means in their power. The Communist Parties must adopt this line of policy in regard to all oppressed nations.

The Communist Parties in the *colonial and semi-colonial countries* must carry on a bold and consistent struggle against foreign imperialism and unfailingly conduct propaganda in favor of friendship and unity with the proletariat in the imperialist countries. They must openly advance, conduct propaganda for and carry out the slogan of agrarian revolution, rouse the broad masses of the peasantry for the overthrow of the landlords and combat the reactionary and mediaeval influence of the clergy, of the missionaries and other, similar elements.

In these countries, the principal task is to organize the workers and the peasantry *independently* (to establish class Communist Parties of the proletariat, trade unions, peasant leagues and committees and, in a revolutionary situation, Soviet, etc.) and to free them from the influence of the national bourgeoisie, with whom temporory agreements may be made only on the condition that they, the bourgeoisie, do not hamper the revolutionary organization of the workers and peasants, and that they carry on a genuine struggle against imperialism.

In determining its line of *tactics,* each Communist Party must take into account the concrete internal and external situation, the correlation of class forces, the degree of stability and strength of the bourgeoisie, the degree of preparedness of the proletariat, the position taken up by the various intermediary strata in its country, etc. The Party determines its slogans and methods of struggle in accordance with these circumstances, with the view to organizing and mobilizing the masses on the broadest possible scale and on the highest possible level of this struggle.

When a revolutionary situation is developing, the Party advances certain transitional slogans and partial demands corresponding to the concrete situation; but these demands and slogans must be bent to the revolutionary aim of capturing power and of overthrowing bourgeois capitalist society. The Party must neither stand aloof from the daily needs and struggles of the working class nor confine its activities exclusively to them. The task of the Party is to utilize these minor every-day needs as a *starting point* from which to lead the working class to the *revolutionary struggle for power.*

When the revolutionary tide is rising, when the ruling classes are disorganized, the masses are in a state of revolutionary ferment, the intermediary strata are inclining towards the proletariat and the masses are ready for action and for sacrifice, the Party of the proletariat is confronted with the task of leading the masses to a direct attack upon the bourgeois State. This it does by carrying on propaganda in favor of increasingly radical transitional slogans (for Soviets, workers' control of industry, for peasant committees for the seizure of the big landed properties, for disarming the bourgeoisie and arming the proletariat, etc.) and by organizing *mass action,* upon which all branches of Party agitation and propaganda, including parliamentary activity, must be concentrated. This mass action includes: a combination of strikes and demonstrations; a combination of strikes and armed demonstrations and finally, the general strike conjointly with armed insurrection against the state power of the bourgeoisie. The latter form of struggle, which is the supreme form, must be conducted according to the rules of war; it presupposes a plan of campaign, offensive fighting operations and unbounded devotion and heroism on the part of the proletariat. An absolutely essential condition precedent for this form of action is the organization of the broad masses into militant units, which, by their very form, embrace and set into action the largest possible numbers of toilers (Council of Workers' Deputies, Soldiers' Councils, etc.), and intensified revolutionary work in the army and the navy.

In passing over to new and more radical slogans, the Parties must be guided by the fundamental role of the political tactics of Leninism, which call for ability to lead the masses to revolutionary positions in such a manner that the masses may, by their own experience, convince themselves of the correctness of the Party line. Failure to observe this rule must inevitably lead to isolation from the masses, to putschism, to the ideological degeneration of Communism into "Leftist" dogmatism and to petty-bourgeois "revolutionary" adventurism. Failure to take advantage of the culminating point in the development of the revolutionary situation, when the Party of the proletariat is called upon to conduct a bold and determined attack upon the enemy, is not less dangerous. To allow that opportunity to slip by and to fail to start rebellion at that point, means to allow the initiative to pass to the enemy and to doom the revolution to defeat.

When the *revolutionary tide is not rising,* the Communist Parties must advance *partial* slogans and demands that correspond to the everyday needs of the toilers, and combine them with the fundamental tasks of the Communist International. The Communist Parties must not, however, at such a time, advance *transitional* slogans that are applicable only to revolutionary situations (for example workers' control of industry, etc.). To advance such slogans when there is no revolutionary situation means to transform them into slogans that favor merging with the capitalist system of organization. Partial demands and slogans generally form an essential part of correct tactics; but certain transitional slogans go inseparably with a revolutionary situation. Repudiation of partial demands and transitional slogans "on principle", however, is incompatible with the tactical principles of Communism, for in effect, such repudiation condemns the Party to inaction and isolates it from the masses. *United front tactics* also occupy an important place in the tactics of the Communist Parties throughout *the whole pre-revolutionary period* as a means towards achieving success in the struggle against capital, towards the class mobilization of the masses and the exposure and isolation of the reformist leaders.

The correct application of united front tactics and the fulfillment of the general task of winning over the masses presuppose in their turn systematic and persistent work in the *trade unions* and other mass proletarian organizations. It is the bounden duty of every Communist to belong to a trade union, even a most reactionary one, provided it is a mass organization. Only by constant and persistent work in the trade unions and in the factories for the steadfast and energetic defence of the interests of the workers, together with ruthless struggle against the reformist bureaucracy, will it be possible to win the leadership in the workers' struggle and to win the industrially organized workers over to the side of the Party.

Unlike the reformists, whose policy is to split the trade unions, the Communists defend *trade union unity* nationally and internationally on the basis of the class struggle, and render every support to and strengthen the work of the *Red International of Labor Unions.*

In universally championing the current everyday needs of the masses of the workers and of the toilers generally, in utilizing the bourgeois parliament as a platform for revolutionary agitation and propaganda, and subordinating the partial tasks to the struggle for the dictatorship of the proletariat, the Parties of the Communist International advance partial demands and slogans in the following main spheres:

In the sphere of *Labor,* in the narrow meaning of the term, i. e. question concerned with the *industrial struggle* (the fight against the trustified capitalist offensive, wage questions, the working day, compulsory arbitration, unemployment), which *grow* into questions of the general political struggle (big industrial conflicts, fight for the right to organize, right to strike, etc.); in the sphere of *politics* proper (taxation, high cost of living, Fascism, persecution of revolutionary parties, white terror and current politics generally); and finally the sphere of *world* politics; viz., attitude towards the U. S. S. R. and colonial revolutions, struggle for the unity of the international trade union movement, struggle against imperialism and the war danger, and systematic preparation for the fight against *imperialist war.*

In the sphere of the *peasant* problem, the partial demands are those appertaining to taxation, peasant mortgage indebtedness, struggle against usurer's capital, the land hunger of the peasant small holders, rent, the metayer (crop-sharing) system. Starting out from these partial needs, the Communist Party must sharpen the respective slogans and broaden them out into the slogans: confiscation of large estates, and workers' and peasants' government (the synonym for proletarian dictatorship in developed capitalist countries and for democratic dictatorship of the proletariat and peasantry in backward countries and in certain colonies).

Systematic work must also be carried on among the proletarian and peasant *youth* (mainly through the Young Communist International and its Sections) and also among *working women and peasant women.* This work must concern itself with the special conditions of life and struggle of the working and peasant women, and their demands must be linked up with the general demands and fighting slogans of the proletariat.

In the struggle against *colonial oppression,* the Communist Parties *in the colonies* must advance partial demands that correspond to the special circumstances prevailing in each country such as: complete equality for all nations and races; abolition of all privileges for foreigners; the right of association for workers and peasants; reduction of the working day; prohibition of child labor; prohibition of usury and of all transactions entailing bondage; reduction and abolition of rent; reduction of taxation; refusal to pay taxes, etc. All these partial slogans must be subordinate to the fundamental demands of the Communist Parties such as: complete political national independence and the expulsion of the imperialists; workers' and peasants' government, the land to the whole people, eight-hour day, etc. The Communist Parties in *imperialist countries,* while supporting the struggle proceeding in the colonies, must carry on a campaign in their own respective countries for the withdrawal of imperialist troops, conduct propaganda in the army and navy in defence of the oppressed countries fighting for their liberation, mobilize the masses to refuse to transport troops and munitions and, in connection with this, to organize strikes and other forms of mass protest, etc.

The Communist International must devote itself especially to systematic preparation for the struggle against the *danger of imperialist wars.* Ruthless exposure of social chauvinism, of social imperialism and of pacifist phrasemongering intended to camouflage the imperialist plans of the bourgeoisie; propaganda in favor of the principal slogans of the Communist International; everyday organizational work in connection with this, in the course of which work legal methods must unfailingly be combined with illegal methods; organized work in the army and navy—such must be the activity of the Communist Parties in this connection. The fundamental slogans of the Communist International in this connection must be the following: Convert imperialist war into civil war; defeat the "home" imperialist government; defend the U. S. S. R. and the colonies by every possible means in the event of imperialist war against them. It is the bounden duty of all Sections of the Communist International, and of every one of its members, to carry on propaganda for these slogans, to expose the "socialistic" sophisms and the "socialist" camouflage of the League of Nations and constantly to keep to the front the experiences of the war of 1914—1918.

In order that revolutionary work and revolutionary action may be coordinated and in order that these activities may be guided most successfully, the international proletariat must be bound by *international class discipline,* for which, first of all, it is most important to have the strictest international discipline in the Communist ranks.

This international Communist discipline must find expression in the subordination of the partial and local interests of the movement to its general and lasting interests and in the strict fulfillment, by all members, of the decisions passed by the leading bodies of the Communist International.

Unlike the Social-Democratic, Second International, each section of which submits to the discipline of "its own", national bourgeoisie and of its own "fatherland," the sections of the Communist International submit to only one discipline, viz., international proletarian discipline, which guarantees victory in the struggle of the world's workers for world proletarian dictatorship. Unlike the Second International, which splits the trade unions, fights against colonial peoples, and practices unity with the bourgeoisie, the Communist International is an organization that guards proletarian unity in all countries and the unity of the toilers of all races and all peoples in their struggle against the yoke of imperialism.

Despite the bloody terror of the bourgeoisie, the Communists fight with courage and devotion on all sectors of the international class front, in the firm conviction that the victory of the proletariat is inevitable and cannot be averted.

"The Communists disdain to conceal their views and aims. They openly declare that their aims can be attained only by the forcible overthrow of all the existing social conditions. Let the ruling class tremble at a Communistic revolution. The proletarians have nothing to lose but their chains. They have a world to win.

"Workers of all countries, unite!"

CONSTITUTION AND RULES OF THE COMMUNIST INTERNATIONAL

I. NAME AND OBJECTS

1. The Communist International—the International Workers' Association—is a union of Communist Parties in various countries; it is a World Communist Party. As the leader and organizer of the world revolutionary movement of the proletariat and the upholder of the principles and aims of Communism, the Communist International strives to win over the majority of the working class and the broad strata of the propertyless peasantry, fights for the establishment of the world dictatorship of the proletariat, for the establishment of the World Union of Socialist Soviet Republics, for the complete abolition of classes and for the achievement of socialism—the first stage of Communist society.

2. Each of the various Parties affiliated to the Communist International is called the Communist Party of ---------- [name of country] (Section of the Communist International). In any given country there can be only one Communist Party affiliated to the Communist International and representing its Section in that country.

3. Membership in the Communist Party and in the Communist International is open to all those who accept the programme and rules of the given Communist Party and of the Communist International, who join one of the basic units of a Party, actively work at it, abide by all the decisions of the Party and of the Communist International, and regularly pay Party dues.

4. The basic unit of the Communist Party organization is the nucleus in the place of employment (factory, workshop, mine, office, store, farm, etc.) which unites all the Party members employed in the given enterprise.

5. The Communist International and its Sections are built up on the basis of democratic centralism, the fundamental principles of which are: (a) election of all the leading committees of the Party, subordinate and superior (by general

meetings of Party members, conferences, congresses and international congresses); (b) periodical reports by leading Party committees to their constituents; (c) decisions of superior Party committees to be obligatory for subordinate committees, strict Party discipline and prompt execution of the decisions of the Communist International, of its leading committees and of the leading Party centres.

Party questions may be discussed by the members of the Party and by Party organizations until such time as a decision is taken upon them by the competent Party committees. After a decision has been taken by the Congress of the Communist International, by the Congress of the respective Sections, or by leading committees of the Comintern, and of its various Sections, these decisions must be unreservedly carried out even if a Section of the Party membership or of the local Party organizations are in disagreement with it.

In cases where a Party exists illegally, the superior Party committees may appoint the subordinate committees and co-opt members on their own committees, subject to subsequent endorsement by the competent superior Party committees.

6. In all non-Party workers' and peasants' mass organizations and in their leading committees (trade unions, co-operative societies, sport organizations, ex-service men's organizations, and at their congresses and conferences) and also on municipal bodies and in parliament, even if there are only two Party members in such organizations and bodies, Communist fractions must be formed for the purpose of strengthening the Party's influence and for carrying out its policy in these organizations and bodies.

7. The Communist fractions are subordinated to the competent Party bodies.

Note: 1. Communist fractions in international organizations (Red International of Labor Unions, International Class War Prisoners' Aid Society, International Red Aid Society, etc.), are subordinate to the Executive Committee of the Communist International.

2. The organizational structure of the Communist fractions and the manner in which their work is guided are determined by special instructions from the Executive Committee of the Communist International and from the Central Committees of the given Sections of the Comintern.

II. THE WORLD CONGRESS OF THE COMMUNIST INTERNATIONAL

8. The supreme body of the Communist International is the World Congress of representatives of all Parties (Sections) and organizations affiliated to the Communist International.

The World Congress discusses and decides programme, tactical and organizational questions connected with the activities of the Communist International and of its various Sections. Power to alter the programme and rules of the Communist International lies exclusively with the World Congress of the Communist International.

The World Congress shall be convened once every two years. The date of the Congress and the number of representatives from the various Sections to the Congress to be determined by the Executive Committee of the Communist International.

The number of decisive votes to be allocated to each Section at the World Congress shall be determined by a special decision of the Congress itself, in accordance with the membership of the given Party and the political importance of the given country. Delegates to the Congress must have a free mandate; no imperative mandate can be recognized.

9. Special Congresses of the Communist International shall be convened on the demand of Parties which, at the preceding World Congress had an aggregate of not less than one-half of the decisive votes.

10. The World Congress elects the Executive Committee of the Communist International (E.C.C.I.), and the International Control Commission (I.C.C.).

11. The headquarters of the Executive Committee is decided on by the World Congress.

III. THE EXECUTIVE COMMITTEE OF THE COMMUNIST INTERNATIONAL AND ITS SUBSIDIARY BODIES

12. The leading body of the Communist International in the period between Congresses is the Executive Committee, which gives instructions to all the Sections of the Communist International and controls their activity.

The E.C.C.I. publishes the Central Organ of the Communist International, in not less than four languages.

13. The decisions of the E.C.C.I are obligatory for all the Sections of the Communist International and must be promptly carried out. The Sections have the right to appeal against decisions of the E.C.C.I. to the World Congress, but must continue to carry out such decisions pending the decision of the World Congress.

14. The Central Committees of the various Sections of the Communist International are responsible to their respective Party Congresses and to the E.C.C.I. The latter has the right to annul or amend decisions of Party Congresses and of Central Committees of Parties and also to make decisions which are obligatory for them. (Cf. Par. 13.)

15. The E.C.C.I. has the right to expel from the Communist International, entire Sections, groups and individual members who violate the programme and rules of the Communist International or the decisions of the World Congress and of the E.C.C.I. Persons and bodies expelled have the right of appeal to the World Congress.

16. The programmes of the various Sections of the Communist International must be endorsed by the E.C.C.I. In the event of the E.C.C.I. refusing to endorse a programme, the Section concerned has the right to appeal to the World Congress of the Communist International.

17. The leading organs of the press of the various Sections of the Communist International must publish all the decisions and official documents of the E.C.C.I. These decisions must, as far as possible, be published also in the other organs of the Party press.

18. The E.C.C.I. has the right to accept affiliation to the Communist International of organizations and Parties sympathetic to Communism, such organizations to have a consultative voice.

19. The E.C.C.I. elects a Presidium responsible to the E.C.C.I., which acts as the permanent body carrying out all the business of the E.C.C.I. in the interval between the meetings of the latter.

20. The E.C.C.I. and its Presidium have the right to establish Permanent Bureaus (Western European, South American, Eastern and other Bureaus of the E.C.C.I.), for the purpose of establishing closer contact with the various Sections of the Communist International and in order to be better able to guide their work.

Note: The scope of the activities of the permanent bureaus of the E.C.C.I. shall be determined by the E.C.C.I. or by its Presidium. The Sections of the Communist International which come within the scope of activities of the permanent bureaus of the E.C.C.I. must be informed of the powers conferred on these bureaus.

21. The Sections must carry out the instructions of the permanent bureaus of the E.C.C.I. Sections may appeal against the instructions of the permanent bureaus to the E.C.C.I. or to its Presidium, but must continue to carry out such instructions pending the decision of the E.C.C.I. or of its Presidium.

22. The E.C.C.I. and its Presidium have the right to send their representatives to the various Sections of the Communist International. Such representatives receive their instructions from the E.C.C.I. or from its Presidium, and are responsible to them for their activities. Representatives of the E.C.C.I. have the right to participate in meetings of the central Party bodies as well as of the local organizations of the Sections to which they are sent. Representatives of the E.C.C.I. must carry out their commission in close contact with the Central Committee of the Section to which they are sent. They may, however, speak in opposition to the Central

Committee of the given Section, at Congresses and Conferences of that Section, if the line of the Central Committee in question diverges from the instructions of the E.C.C.I. Representatives of the E.C.C.I. are especially obliged to supervise the carrying out of the decisions of the World Congresses and of the Executive Committee of the Communist International.

The E.C.C.I. and its Presidium also have the right to send instructors to the various Sections of the Communist International. The powers and duties of instructors are determined by the E.C.C.I., to whom the instructors are responsible in their work.

23. Meetings of the E.C.C.I. must take place not less than once every six months. A quorum consists of not less than one-half of the membership of the E.C.C.I.

24. Meetings of the Presidium of the E.C.C.I. must take place not less than once a fortnight. A quorum consists of not less than one-half of the membership of the Presidium.

25. The Presidium elects the Political Secretariat, which is empowered to take decisions, and which also prepares questions for the meetings of the E.C.C.I. and of its Presidium, and acts as their executant body.

26. The Presidium appoints the editorial committees of the periodical and other publications of the Communist International.

27. The Presidium of the E.C.C.I. sets up a Department for Work among Women Toilers, permanent committees for guiding the work of definite groups of Sections of the Communist International (National Secretariats) and other departments for its work.

IV. The International Control Commission

28. The International Control Commission investigates matters concerning the unity of the Sections affiliated to the Communist International and also matters connected with the Communist conduct of individual members of the various Sections.

For this purpose the I.C.C.

(a) Examines complaints against the actions of Central Committees of Communist Parties lodged by Party members who have been subjected to disciplinary measures for political differences;

(b) Examines such analogous matters concerning members of central bodies of Communist Parties and of individual Party members as it deems necessary, or which are submitted to it by the deciding bodies of the E.C.C.I.;

(c) Audits the accounts of the Communist International.

The International Control Commission must not intervene in the political differences or in organizational administrative conflicts in the Communist Parties.

The headquarters of the I.C.C. are fixed by the I.C.C., in agreement with the E.C.C.I.

V. THE RELATIONSHIPS BETWEEN THE SECTIONS OF THE COMMUNIST INTERNATIONAL AND THE E.C.C.I.

29. The Central Committees of Sections affiliated to the Communist International and the Central Committees of affiliated sympathizing organizations must send to the E.C.C.I. the Minutes of their meetings and reports of their work.

30. Resignation from office by individual members or groups of members of Central Committees of the various Sections are regarded as disruptive of the Communist movement. Leading posts in the Party do not belong to the occupant of that post, but to the Communist International as a whole. Elected members of the Central leading bodies of the various Sections may resign before their time of office expires only with the consent of the E.C.C.I. Resignations accepted by Central Committees of Sections without the consent of the E.C.C.I. are invalid.

31. The Sections affiliated to the Communist International must maintain close organizational and informational contact with each other, arrange for mutual representation at each other's conferences and congresses, and with the consent of the E.C.C.I., exchange leading comrades. This ap-

plies particularly to the Sections in imperialist countries and their colonies, and to the Sections in countries adjacent to each other.

32. Two or more Sections of the Communist International which (like the Sections in the Scandinavian countries and in the Balkans) are politically connected with each other by common conditions of struggle, may, with the consent of the E.C.C.I., form federations for the purpose of co-ordinating their activities, such federations to work under the guidance and control of the E.C.C.I.

33. The Sections of the Comintern must regularly pay affiliation dues to the E.C.C.I.; the amount of such dues to be determined by the E.C.C.I.

34. Congresses of the various Sections, ordinary and special, can be convened only with the consent of the E.C.C.I.

In the event of a Section failing to convene a Party Congress prior to the convening of a World Congress, that Section, before electing delegates to the World Congress, must convene a Party conference, or Plenum of its Central Committee, for the purpose of preparing the questions for the World Congress.

35. The International League of Communist Youth (Communist Youth International) is a Section of the Communist International with full rights and is subordinate to the E.C.C.I.

36. The Communist Parties must be prepared for transition to illegal conditions. The E.C.C.I. must render the Parties concerned assistance in their preparations for transition to illegal conditions.

37. Individual members of Sections of the Communist International may pass from one country to another only with the consent of the Central Committee of the Section of which they are members.

Communists changing their domicile must join the Section in the country of their new domicile. Communists leaving their country without the consent of the Central Committee of their Section, must not be accepted into other Sections of the Communist International.

Petitioner's Exhibit No. 126

THE COMMUNIST
March, 1934

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MILESTONES OF COMINTERN LEADERSHIP

By Alex Bittelman

The proletarian vanguard of the United States can justly take pride in the fact that it participated actively in the building of the Communist International, whose fifteenth anniversary falls in March of this year. At the same time, the revolutionary vanguard of this country can derive deep satisfaction from the fact that it unfailingly received brotherly advice and guidance from the Communist International in the struggle for the revolutionization of the American working class. It was from the outset, and continues to be so, a *mutual collaboration* of the revolutionary proletariat of all countries, organized in a world party, for the victory of the Dictatorship of the Proletariat, for the establishment of a World Soviet Republic. The leading role of the Communist Party of the Soviet Union in the Comintern needs neither explanation nor apology. A party that has opened up the epoch of the world revolution, and that is successfully building a classless society on one sixth of the earth, is cheerfully recognized and followed as the leading party of the world communist movement. And by the same token, the leaders of that party—first Lenin and now Stalin—are proudly followed as the leaders of the proletariat and of all oppressed in every country of the world.

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If it were possible to imagine those years without a Communist International (which, of course, is impossible), these struggles for Communist unity would have been infinitely more protracted, wasteful, and harmful than was actually the case. But there *was* a Communist International, led by Lenin, and consequently, there was made available to the revolutionary workers of the United States the *world experiences* and prestige of the Bolshevik movement which has gone through a long struggle with opportunism and built up a united Communist Party. These experiences the Comintern utilized in order to help the American Communists of those years to solve their own specific problems of unity and these problems were solved. A unified and single Communist Party was materialized in the United States in shorter time, less painfully and wastefully, than would have been the case without the advice and assistance of the Comintern.

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We come now to another milestone of Comintern leadership. This time it was the problem of breaking through *the walls of illegality* erected by the American bourgeoisie between the young Communist Party and the working class. The Communists, having been driven underground and outlawed by the forerunners of the present New Dealers—Wilson-Palmer—in 1919-1920, were struggling to find their way to the masses despite the illegality and governmental persecutions. What were the special difficulties for the solution of this problem? They arose from the danger of seeking to achieve legality by sacrificing Communist principles and hiding the revolutionary line, on the one hand, and from the danger of trying to preserve intact the Communist principles by abandoning all serious fight for legal and open work, on the other hand. The way to the masses, the Communist Party could then find only by fighting and overcoming these Right and "left" opportunist dangers. One of the founders of the recently launched Muste American Workers' Party, Hardman-Salutsky, was at that time especially active in trying to switch the Communist movement to the path of buying legality by sacrificing the revolutionary line. Lacking the necessary Leninist training and experience, the American Communist Party found it extremely difficult to reach the correct solution of this task and was therefore torn between the two opportunist dangers of legalistic liquidation of the Communist Party and underground sectarianism. Once more the American Communists consulted with the Communist International. This was in 1921-1922. And the correct advice came, as it was bound to, and with its help the Workers' Party of America was organized which opened up for the illegal Communist Party of America wide opportunities for open revolutionary work among the masses. Illegal work, that is, revolutionary mass work that could not be done openly because of governmental persecutions, was not abandoned but continued; the illegal work supplementing the legal, and vice versa. The Party authority continued to rest in the underground Communist Party, as it should be under these conditions. And when the influence of the Communists in the Workers' Party had become firmly established, and the basic revolutionary mass work could be carried on through the Workers' Party legally, then the underground Communist Party became merged with the Workers' Party, that is, the latter became the Communist Party of the country. American Communism thus solved its immediate task and reached a higher stage in its development towards becoming the mass Party of the American proletariat.

What was it that proved especially helpful for the American Communists in the Comintern advice on legal and illegal work? It was the world and Russian experience of Bolshevism. Under Lenin's guidance the Bolsheviks had repeatedly met and solved such and similar problems and solved them successfully, as history has proved. The Bolshevik solutions, while primarily applied in Russia because there was the Party to do it, were based upon the experiences of the working class movement all over the world and thus acquired an international significance. The American Communists have been helped by the Comintern in applying these solutions to American conditions. In doing so they have not only *defeated* the efforts of the bourgeoisie to strangle the revolutionary movement in the period of 1919-1921, but have also acquired knowledge and skill to defeat such efforts again, especially in the present period of sharp turn to fascism and war which inevitably brings new attacks upon the legality of the Communist Party and the working class movement as a whole. Will any sincere and militant worker in the United States, who is loyal to his class and its liberation from the misery and sufferings of capitalism, reproach the Comintern for having helped the American revolutionary workers to defeat the Wilson-Palmer persecutions? And will such a worker hold it against the American Communist Party for having accepted this helpful guidance? No, only Muste-Hardman & Co., led by the renegades, will indulge in such reproaches, because this warm and select company is echoing the raging chauvinism of the Yankee imperialist.

The next milestone in the Comintern leadership for the American Party we find on the question of trade union work. On this, more perhaps than on any other question, the left and militant elements in the American labor movement, in the two decades before the emergence of the Comintern (not to go into the pre-imperialist era), had got themselves tangled up in insoluble difficulties, torn between reformism and anarcho-syndicalism, only because they were unable, by their own efforts, to restore and further develop the revolutionary teachings of Marx and to apply them to the United States of the imperialist era. Lenin did that; but the American militants (even they) were too provincial, not enough international, because still influenced by bourgeois ideology, to find out what Leninism stands for and what it could do for the progress of the American working class. The Comintern brought the American militants and lefts closer to the world labor movement and to the basic problems of the American labor movement. The trade union question was one of them. The young American Communist movement struggled painfully to throw off the ballast of Gompers-Hillquit reformism and DeLeon-I.W.W. sectarianism, sometimes falling victim to the former, at other times to the latter, and occasionally to both. Even the best and most experienced among the left and militant leaders of the American workers, the builders and founders of the revolutionary movement of the American workers in the imperialist era, such as the late Charles E. Ruthenberg, as well as the present leader of our Party, William Z. Foster, were able to rid themselves and our movement of the old ballast of opportunism only by coming closer to Leninism and into the Comintern. By becoming *more international,* the proletarian vanguard in the United States has become also *more American,* because the international experience, as it is incorporated in Leninism and in Comintern guidance, helped the American Communists to come closer to the basic masses of the American proletariat and to begin to function as the leaders of its struggles against American capitalism.

It was Comintern advice and guidance that helped the American Communists to turn full face to the building of a left-wing in the reformist unions beginning with 1920; it was the advice of the Comintern that helped formulate a correct solution to one of the basic problems of the American proletariat—the organization of the unorganized into trade unions; it was advice of the Comintern on independent leadership of the economic struggles by the revolutionary elements that helped formulate strike policies and tactics; it was Comintern advice of how to revolutionize the labor movement, through organization and leadership of the daily struggles of the masses and systematic exposure and struggle against the reformists, that helped the American Communists to prove to wide masses of workers and toilers that the C.P.U.S.A. is the only true proletarian party in the United States and the leader of all exploited. In short, at every stage in the development of the revolutionary trade union movement in the United States (T.U.E.L., class struggle unions of the T.U.U.L., the application of the united front on the trade union field, the fight for trade union unity, etc.), it was with the help of the Comintern that the American revolutionary workers were able to find the correct way, to correct their errors and, through manifold changes in tactics, to press on to the goal of building a revolutionary trade union movement in the United States.

Comintern influence on the development of revolutionary trade union policies in the United States has special significance. Here as in other capitalist countries the imperialist bourgeoisie, with the help of the reformists, succeeded in *splitting the working class,* setting the small minority of "labor aristocrats" against the basic mass of the proletariat. Following out this policy, the reformist trade union bureaucracy was persistently shutting out of trade union organization the bulk of the American proletariat, especially its most oppressed and exploited sections. This it was that constituted and still constitutes one of the chief weaknesses of the American working class. And the most damning indictment against the A. F. of L. bureaucracy is its discrimination and exclusion of the Negro proletariat. It is significant, therefore, that the first question which Comrade Stalin put to the American trade union delegation was: "How do you account for the small percentage of American workers organized in trade unions?" And he added: "I would like to ask the delegation whether it regards this small percentage of organized workers as a good thing. Does not the delegation think that this small percentage is an indication of the weakness of the American proletariat and of the weakness of its weapon in the struggle against the capitalists in the economic field?" This was in 1927. Lack of space does not permit to deal here with the answer of the delegation. Suffice it to say that this delegation, made up as it was of so-called progressives, really bourgeois liberals, was in its answers, at best, very helpless and confused. But the intent of Stalin's question is clear: Why don't you organize the workers in trade unions? Why don't you strengthen them against the capitalists? And it was in this direction that the Comintern threw the full weight of its influence and advice in the American labor movement. Organize the basic sections of the proletariat into unions, liberate the existing mass trade unions from the stranglehold of the reformists, and unify the trade union movement of this country—this was the nature of Comintern guidance to the revolutionary workers in the United States. Tactics and methods of work might vary, depending upon the state of the class struggle. In the light of recent events, the Communist Party favors the organization of independent unions *in those cases* where such a measure would constitute a *step in advance* towards the revolutionization of the trade union movement. But the strategic aim always remained the same, and for this aim the Communist Party fights bravely and persistently and with increasing effectiveness. The general crisis of capitalism, undermining the basis of existence of large numbers of the "labor aristocracy" as well as of the working class as a whole, creates ever more favorable conditions for the realization of this aim. So, we ask again: can any American worker, who is alive to the needs of his class and is willing to fight for them, find anything to object to in this "interference" of the Communist International in American affairs? And will he object to the Communist Party of the U. S. accepting and taking deep satisfaction in such "interference"? No, he will not. Only Muste and Co., abetted by the renegades, will object and will call it "outside dictation", because these groups echo the mad chauvinism of the Yankee imperialists.

We shall now relate another significant instance of Comintern leadership in the U.S. In the years 1921-1924, one of the important phases of the American labor movement was a widespread urge for the organization of a Labor Party. The left-wing in the Socialist Party, and the first Communist Party conventions, took a completely negative attitude towards it. But in their struggle to establish contact with the masses and with their movements against capitalism and its major political parties, the American Communists came to adopt the position of active participation in the Labor Party movements. The aim of this position was to accelerate the existing break-away movement of the workers and toiling farmers from the capitalist parties and to direct this movement along the channels of independent working class political action. Comintern influence and advice strengthened the American Communists in this determination, thus helping to overcome the various sectarian objections to such a policy.

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We come to a milestone of Comintern leadership in the U. S. that has been especially fruitful in making the fight for proletarian internationalism live and real and in projecting the liberating mission of the American proletariat in a most concrete and telling manner. We refer here to the Communist program for *Negro liberation.* It was no accident that this was the problem—the Negro problem in the U. S.—that it took the revolutionary workers of America *the longest,* in point of time, to become aware of and to find a solution for. Bourgeois ideology, the "white prejudices" of the old slave market, had poisoned the minds, not alone of the backward strata of the toilers, but also the most advanced sections. And thus we find that the left-wing of the Socialist Party which formed the Communist Party somehow "overlooked" the national-revolutionary significance of the Negro liberation struggles. And even when the American communists had finally begun to grapple with the Negro question in a Leninist way, starting practical mass work to organize the white and Negro toilers to struggle for Negro rights, there still was considerable hesitation and confusion among the weaker elements of the Communist movement to project boldly the full Leninist solution of the problem. Once more came the "outside" influence of the Comintern; and what did it say? It said that the struggle against discrimination and for Negro rights is a revolutionary struggle for the national liberation of the Negroes, that we must fight for complete Negro equality, and that in the Black Belt the full realization of this demand requires the fight for the national self-determination of the Negroes, including the right to separation from the United States and the organization of an independent state. Furthermore, it was the interpretation of Leninism and its application to the United States as made by the Comintern that showed the American Communists that the agrarian revolution in the Black Belt, where the Negro masses are mostly peasants and semi-serfs, is the basis of the national-liberation movement and that this movement is one of the allies of the American proletariat in the struggle for the dictatorship of the proletariat. The Lovestone renegades advocate the bourgeois theory that capitalist development itself, the "industrialization of the South", will solve the Negro question. The Communist Party—following the lead of the Comintern—says that only the national-revolutionary movement of the Negroes, as an organic part and ally of the proletarian revolution, will solve the Negro question. From this point of view, the American Communists are able to expose the Muste-Hardman position on this question as bourgeois liberalism in words and Yankee white chauvinism in deeds. Will the Negro workers, farmers, and city poor consider the Comintern advice on the Negro question as "outside dictation"? No. They will, as they actually do, receive this advice with outstretched arms and will continue in ever-larger masses to rally around the Communist Party as the leader of the liberation fight. And will the white workers, those belonging to the dominating nationality in the United States but who are already awake to their true interests, will they perhaps resent this advice as "outside dictation"? No. Some of these class-conscious white workers may still hesitate because they are as yet not completely free from the bourgeois curse of white chauvinism, but none of them will say that this advice is not in the best interests of the American working class and of all exploited.

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And lastly—*the liquidation of the factional situation* in the Communist Party. It is on this, more than anything else, that the Muste-Hardman outfit, led by the Lovestone renegades and the Trotskyist counter-revolutionaries, choose to illustrate the "outside dictation" and interference of the ment along the channels of independent working class political action. Comintern influence and advice strengthened the American Communists in this determination, thus helping to overcome the various sectarian objections to such a policy.

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And lastly—*the liquidation of the factional situation* in the Communist Party. It is on this, more than anything else, that the Muste-Hardman outfit, led by the Lovestone renegades and the Trotskyist counter-revolutionaries, choose to illustrate the "outside dictation" and interference of the

Communist International. Well, the facts speak for themselves.

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But this disaster *did not happen.* And why? Because the Comintern spoke to the American Party with authority and wisdom; in so speaking, in pointing out the dangers and the way to avoid them, the Comintern *released the initiative and creative activity* of the overwhelming majority of the Party, the initiative that had become paralyzed during the years of factional fight; and on the basis of this initiative of the Party membership, with the help of this power, the Party was able to cleanse itself of the hopelessly factional elements and of the Right and "left" opportunist groupings that went with the factions and thus laid the basis for the subsequent unification of the Party and its fresh start on the field of revolutionary mass work. The Comintern did "interfere"; there can be no doubt of that. And it is fortunate that it did.

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In the fifteen years of its existence the Comintern has grown into a true World Party. It has reached the high stage where all "Communist Parties are carrying out one single line of the Comintern", a stage where all "Communist Parties are united by the Executive Committee of the Communist International into a single centralized World Party which the Second International never had and never will have" (Piatnitsky, Speech at the Thirteenth Plenum of the E.C.C.I.). In this lies the main strength of the world revolution and the guarantee of its inevitable victory. It is this that makes possible, for the first time in the history of the world, the effective carrying out of a *world revolutionary strategy,* the only road to victory over capitalism. And it is in Comrade Stalin, since Lenin's death, that this strategy has found the greatest formulator, interpreter, and organizer. With the deepest pride in this achievement, the class-conscious workers of the United States, the militant farmers and revolutionary Negroes will celebrate the 15th Anniversary of the Comintern. It is with the same feeling of pride that they will realize that they belong to a World Party together with the glorious Party of the Soviet Union; that they belong to a world Party which is daily guided by such proved leaders as Manuilsky, Kuusinen, Thaelmann and Piatnitsky; and that by building the revolutionary movement in the United States we are also building the world power of the proletariat for the victory of the world revolution.

Petitioner's Exhibit No. 132

THESIS AND RESOLUTIONS FOR THE SEVENTH NATIONAL CONVENTION OF THE COMMUNIST PARTY OF THE U. S. A.

By Central Committee Plenum
March 31—April 4, 1930

Thesis on the Economic and Political Situation and Tasks of the Party

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Sharpening War Danger

4. The development of the economic crisis extremely sharpens the general contradictions of the capitalist system and brings still closer the danger of a new war.

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In this situation the danger of an imperialist attack against the Soviet Union becomes particularly acute. A war against the Soviet Union, the fortress and outpost of the revolutionary working class of the world, is a war of the capitalist world against the realizing Socialist aim of the toiling masses, is at the same time for the capitalists an immediate outlet from the present economic crisis, giving to capitalism a new tremendous market of destruction and the hope of the reacquisition of the markets of the Soviet Union and breaking the Socialism in construction in the Soviet Union, the tremendous economic advantages of which already begin to shake the capitalist world.

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THE DAILY WORKER

20. To succeed in the full mobilization of the Party for its tasks the Central Committee must pay special attention to the press and primarily to the Daily Worker. In order to make the Daily Worker the political leading organ of the Party and at the same time an effective mass agitator and organizer, it is necessary to take steps immediately for the political improvement of the Daily as well as for the building of a mass circulation.

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The Party must therefore make a sharp turn in its trade union activities. A full mobilization of all Communist forces must be carried through for the organization of the unorganized masses, for the building of the Trade Union Unity League. The T.U.U.L. must be made into an organization uniting the broad masses of workers, organizing them for the struggle of their daily interests, and leading that struggle along political lines. Through these struggles for their daily interests and through the organization of the workers for that struggle, the T.U.U.L. will bring the broad masses to an understanding and acceptance of Communist line, strategy and tactics. Being a school of revolutionary struggle for the broad working masses, the T.U.U.L. becomes a lever and the main reserve for the Party. All Communists must belong to the T.U.U.L.

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RESOLUTION ON BUILDING THE TRADE UNION UNITY LEAGUE

PART I.—GENERAL ANALYSIS

I. THE ROLE OF THE PARTY

The most fundamental task of our Party in mass work is the building of the revolutionary unions of the Trade Union

Unity League into broad mass organs of struggle. The recent communications of the Comintern and Profintern have again laid stress upon this elementary necessity. It is in this work that there lies the key to the development of our Party into a mass Communist Party.

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PART II—OUR CONCRETE TASKS

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7. DEFENSE OF THE SOVIET UNION—FIGHT AGAINST IMPERIALIST WAR

In all the mass activities of the T.U.U.L. the question of the fight against the impending imperialist war and the struggle in defense of the Soviet Union must be kept in the very foreground. The T.U.U.L. must spare no effort to popularize the achievements of the Russian workers in building socialism. The masses of unemployed and radicalized workers are inspired by the progress of the Soviet Union and are highly receptive to our propaganda against imperialist war.

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TASKS OF OUR PARTY IN THE SOUTH

ECONOMIC AND POLITICAL SITUATION

1. The situation in the South today confirms the previous estimates and perspectives laid down in the October thesis and makes clear the correctness of the thesis of the Sixth Congress of the Communist International and the Tenth Plenum in placing the greatest emphasis on the importance of basing our Party solidly in the masses of Southern workers—Negro and white.

In particular does the present situation and the work of our Party over the period of a year confirm in the clearest manner the correctness of the Comintern in instructing our Party to concentrate its efforts among the Negro masses of the South and bring forward in the sharpest manner the central demand of full social, economic and political equality for Negroes.

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22. Organizational Proposals:

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A director for work among Negro masses shall be sent South at once. A full-time six-week Party training school shall be established in some Southern centers. A number of colonizers must be secured for the decisive industries. Additional forces for the TUUL must be secured.

Petitioner's Exhibit No. 133

THE COMMUNIST

A MAGAZINE OF THE THEORY AND PRACTICE OF
MARXISM-LENINISM
Published Monthly by the
Communist Party of the United States of America

NOVEMBER-DECEMBER, 1930

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NEXT TASKS OF THE COMMUNIST PARTY OF THE USA

BY EARL BROWDER

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FOR EQUALITY AND SELF-DETERMINATION FOR NEGROES

With the latest resolution of the ECCI on the Negro question, we are taking a bold step forward in concretizing a Bolshevist program. The struggle for the rights of the Negroes, for complete equality everywhere, and for the right of self-determination in the Black Belt where the Negroes constitute a majority of the population, is the path along which the Communist Party will unite with the workers a powerful ally in the struggle against American imperialism.

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FORWARD TO NEW STRUGGLES—NEW VICTORIES

We enter a winter of deep crisis for world capitalism, and for capitalism in the United States. The forces of revolution are rising throughout the world. Buttressed and inspired by the magnificent march of socialist construction in the Soviet Union, under the dictatorship of the proletariat, the oppressed classes and peoples all over the world are gathering their forces and are beginning to struggle for the overthrow of imperialism. In China already is rising the foundations of the Soviet Power. Throughout the colonial world the imperialist regime is shaking under the blows of the rising masses. In Germany and several other countries of Western and Central Europe a severe political crisis is rapidly bringing to maturity the conditions for a revolutionary struggle for power by the workers. In the United States capitalism plunges deeper and deeper into the worst economic crisis of its history, which already presses forty millions of the population into misery, cold and starvation, and prepares the stage for an unprecedented political crisis.

In this world situation the working class of the United States, and above all its vanguard, the Communist Party, has duties of supreme importance, not only for itself, but also for the world revolution. These duties can only be performed adequately by energetically readjusting all methods of work, by organizing the masses, mobilizing them for struggle for immediate demands, widening the ranks of the Party and building its cadres, building mass revolutionary unions, fighting for the unemployed and uniting them with the employed workers, drawing into the fighting front the poor farmers and Negro masses, and by rousing the masses to the struggle against imperialist war and for defense of the Soviet Union, and for support to the rising colonial peoples, all of which is the only path of preparation for our own "November 7th" which shall end the rule of capitalism.

Forward to new struggles and new victories!

Petitioner's Exhibit No. 135

THE COMMUNIST

A Magazine of the Theory and Practice of Marxism-Leninism

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May, 1932

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Japan, America and the Soviet Union

Extracts from the Speech of Earl Browder at the Plenum of the Central Committee, April 17, 1932

We are meeting at a moment when tremendous changes are taking place in the world. It is not necessary for me to prove this fact by quoting long lists of statistics to show the unprecedented depth of the crisis.

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In the present conditions, we must understand that in the revolutionary struggle of the world proletariat against world imperialism, our stronghold, our fortress is precisely the Soviet Union, and its socialist construction. And we must understand that this socialist construction, the building of the socialist economy in the Soviet Union, is so profoundly important for the resistance to and the crushing of this imperialist war, that every month that is gained in postponing this war, means a change of the relation of forces in favor of us when the war comes. If the war can be postponed one month it means capitalism has been weakened that much, Socialism has been strengthened that much. It means that the Soviet Union has had another full 30 days to readjust all of its inner forces to meet the serious every day necessities that war will throw upon them.

When you understand that, you understand that not only every month is important, but every week is important, every day is important. You could almost even say that every hour is important. Our whole strategy is based upon the necessity to mobilize all forces by every means to postpone the outbreak of war, and the strategy of the imperialists is to force war as quickly as possible.

How can we mobilize the widest possible mass resistance to the entrance of the United States into war against the Soviet Union? Precisely by making use to the fullest possible extent of this certain historical factor, that the spearhead of the war is Japan and between Japan and the United States there is a long standing antagonism which, independently of us, has developed mass sentiment against Japanese imperialism. It is an absolute Bolshevik duty for the Communist Party of the United States to make the fullest possible mobilization of this mass sentiment no matter what its origin, against Japanese imperialism, mobilize this sentiment against the United States government to prevent it from entering into war against the Soviet Union together with Japan and the other imperialist powers.

The fullest possible mobilization of all such forces may not suffice to prevent whatever alignment will be determined by the capitalist class, by finance capital, upon the basis of their special specific understanding of their class interests. But even in the worst case, our mobilization can create additional difficulties for them, can weaken their mobilization to a certain extent, and thereby strengthen the capacity for resistance of the Soviet Union and the world proletariat.

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The struggle against war is concerned not only with these more complicated difficult problems. The struggle against the war danger, the defense of the Soviet Union cannot wield much force behind it unless it is intimately connected up with and based upon concrete struggles for partial demands of the workers in the United States.

Petitioner's Exhibit No. 136

THE WAY OUT

A PROGRAM FOR AMERICAN LABOR

Manifesto and Principal Resolutions adopted by the Eighth
Convention of the Communist Party of the U.S.A.,
held in Cleveland, Ohio, April 2-8, 1934

INTRODUCTION BY M. J. OLGIN

Published in May, 1934 by
WORKERS LIBRARY PUBLISHERS

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INTRODUCTION

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TERMS EXPLAINED

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Renegades are those who were formerly members of the Communist Party but were expelled from it for failure to follow the correct revolutionary line and who now fight against the revolutionary movement and against the Soviet Union. One group of renegades is led by an individual named Lovestone and another considers Trotsky its leader. These elements are used by the capitalists to delude those workers who are becoming radicalized. The renegades profess to be Communists, "true Communists", "real Communists", but they are as far from Communism as the leaders of the Socialist Party are far from Socialism. In their daily practice they work hand in hand with the reformists and are part and parcel of the social-fascist crew.

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The *E.C.C.I.* is the Executive Committee of the Communist International. It is the general staff of the world revolutionary movement giving unity and leadership to the Communist Parties of the world. The E.C.C.I. meets in plenary session at intervals of between six months and one year.

The body acting in highest authority between one plenary session (Plenum) of the E.C.C.I. and the other, is the Presidium of the Communist International. The Communist Party of the U.S.A. is the American Section of the Communist International (Comintern).

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The *Y.C.L.* (Young Communist League) is a mass political organization of young workers which leads them in the struggles for all their demands and acts as a training school for Communism. The Y.C.L. is organizationally independent of the Communist Party but acknowledges its political leadership. It is affiliated to the Y.C.I. (Young Communist International).

Some abbreviations: *C.C.* means Central Committee of the Communist Party; *D.O.* means District Organizer of the Communist Party (there are twenty-six such districts in the United States).

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AGAINST THE "NEW DEAL" OF HUNGER, FASCISM, AND WAR! FOR THE REVOLUTIONARY SOLUTION OF THE CRISIS!

Manifesto of the Eighth Convention of the Communist Party of the U.S.A.

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The crisis cannot be solved for the toiling masses until the rule of Wall Street has been broken and the rule of the working class has been established. The only way out of the crisis for the toiling masses is the revolutionary way out—the abolition of capitalist rule and capitalism, the establishment of the Socialist society through the power of a revolutionary workers' government, a Soviet government.

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Its victories are an unending source of inspiration and encouragement to the toiling masses of every country. They are the living example of the possibility of finding a way out of the crisis in the interests of the toilers. The experience of the victorious workers of the Soviet Union before, during and after the seizure of power, throw a brilliant light showing the path which must be followed in every land, the path of Bolshevism, of Marx, Engels, Lenin and Stalin.

In the same period of successful testing of the Bolshevik road in the Soviet Union, we have also the example of the results of the policies of the Socialist Parties of the Second International.

* * * * * * * * * *

Their "civilized" methods opened wide the gates for the most barbarous regime in the modern history of Europe. Their "peaceful" methods gave birth to the most bloody and violent reaction. Their "democracy" brought forth the most brutal and open capitalist dictatorship. Their "gradual transition to Socialism" helped to restore the uncontrolled rule of finance capital, the master of fascism. The German and Austrian working class, after 16 years of bitter and bloody lessons of the true meaning of the policies of the Socialist Parties, of the Second International, have now finally begun to turn away from them and at last to take the Bolshevik path.

* * * * * * * * * *

There is no way out except by the creation of a revolutionary democracy of the toilers, which is at the same time a stern dictatorship against the capitalists and their agents. There is no way out except by seizing from the capitalists the industries, the banks and all of the economic institutions, and transforming them into the common property of all under the direction of the revolutionary government. There is no way out, in short, except by the abolition of the capitalist system and the establishment of a Socialist society.

Petitioner's Exhibit No. 137

RESOLUTIONS

SEVENTH CONGRESS OF THE COMMUNIST INTERNATIONAL

* * * * * * * * * *

INCLUDING THE CLOSING SPEECH OF G. DIMITROFF
PUBLISHED BY WORKERS LIBRARY PUBLISHERS

* * * * * * * * * *

The Seventh World Congress of the Communist International was held in Moscow from July 25 to August 20, 1935.

* * * * * * * * * *

THE PRESENT RULERS OF THE CAPITALIST COUNTRIES ARE BUT TEMPORARY, THE REAL MASTER OF THE WORLD IS THE PROLETARIAT

BY GEORGI DIMITROFF

* * * * * * * * * *

Ours is a *Congress of struggle for the preservation of peace, against the threat of imperialist war.*

We are now raising the issue of this struggle *in a new way.* Our Congress is decidedly opposed to the fatalistic outlook on the question of imperialist war emanating from old Social-Democratic notions.

It is true that imperialist wars are the product of capitalism, that only the overthrow of capitalism will put an end to all war; but it is likewise true that the toiling masses can obstruct imperialist war by their militant action.

Today the world is not what it was in 1914.

Today on one-sixth of the globe there exists a powerful proletarian state that relies on the material strength of victorious socialism. Guided by Stalin's wise peace policy, the Soviet Union has already more than once brought to naught the aggressive plans of the instigators of war. (*Applause.*)

Today the world proletariat, in its struggle against war, has at its disposal not only its weapon of mass action, as it did in 1914. Today the mass struggle of the international working class against war is coupled with the influence of the Soviet Union as a state, of its powerful Red Army, the most important guardian of the peace, (*Loud applause.*)

Today the working class is not under the exclusive influence of Social-Democracy participating in a *bloc* with the bourgeoisie, as was the case in 1914. Today there is the World Communist Party, the Communist International. (*Applause.*) Today the bulk of the Social-Democratic workers are turning to the Soviet Union, to its policy of peace, to a united front with the Communists. Today the peoples of the colonial and semi-colonial countries do not regard their liberation as a hopeless cause. On the contrary, they are passing on more and more to determined struggle against the imperialist enslavers. The best evidence of this is the *Soviet revolution in China* and the heroic exploits of the *Red Army of the Chinese people.* (*Stormy applause. All delegates rise. Loud cheering.*)

* * * * * * * * * *

Ours has been a Congress of a *new tactical orientation for for the Communist International.*

Standing firmly on the impregnable position of Marxism-Leninism, which has been confirmed by the entire experience of the international labor movement, and primarily by the victories of the great October Revolution, our Congress, acting in the spirit and guided by the method of *living Marxism-Leninism,* has reshaped the tactical lines of the Communist International to meet the changed world situation.

* * * * * * * * * *

Championing, as we do, working class unity, we shall with so much the more energy and irreconcilibility fight for *unity within our Parties.* There can be no room in our Parties for factions, or for attempts at factionalism. Whoever will try to break up the iron unity of our ranks by any kind of factionalism will get to feel what is meant by the Bolshevik discipline that Lenin and Stalin have always taught us. (*Applause.*) Let this be a warning to those few elements in individual Parties who think that they can take advantage of the difficulties of their Party, the wounds of defeat or the blows of the raging enemy, to carry out their factional plans, to further their own group interests. (*Applause.*) *The Party is above every thing else!* (*Loud applause.*) *To guard the Bolshevik unity of the Party as the apple of one's eye is the first and highest law of Bolshevism!*

* * * * * * * * * *

THE OFFENSIVE OF FASCISM AND THE TASKS OF THE COMMUNIST INTERNATIONAL IN THE FIGHT FOR THE UNITY OF THE WORKING CLASS AGAINST FASCISM

(*Resolution on the Report of Georgi Dimitroff, Adopted August 20, 1935 by the Seventh Congress of the Communist International*)

I. FASCISM AND THE WORKING CLASS

1. The Seventh Congress of the Communist International declares that the alignment of class forces in the international arena and the tasks facing the labor movement of the world are determined by the following basic changes in the world situation:

(a) *The final and irrevocable victory of socialism in the Land of the Soviets,* a victory of world importance, which has enormously enhanced the power and role of the U.S.S.R. as the bulwark of the exploited and oppressed of the whole world, and is inspiring the toilers to struggle against capitalist exploitation, bourgeois reaction and fascism, for peace, and for the freedom and independence of the peoples.

(b) *The most profound economic crisis in the history of capitalism,* from which the bourgeoisie has tried to extricate itself by ruining the masses of the people, by dooming tens of millions of unemployed to starvation and extinction, and by lowering the standard of living of the toilers to an unprecedented extent.

* * * * * * * * * *

(c) *The offensive of fascism, the advent to power of the fascists in Germany, the growth of the threat of a new imperialist world war and of an attack on the U.S.S.R.,* by means of which the capitalist world is seeking a way out of the impasse of its contradictions.

(d) *The political crisis,* expressed in the armed struggle of the workers in Austria and Spain against the fascists, a struggle which has not yet led to the victory of the proletariat over fascism, but which prevented the bourgeoisie from consolidating its fascist dictatorship; *the powerful anti-fascist movement in France,* which began with the February demonstration and the general strike of the proletariat in 1934.

(e) *The revolutionization of the toiling masses* throughout the whole capitalist world which is taking place under the influence of the victory of socialism in the U.S.S.R. and of the world economic crisis, also on the basis of the lessons derived from the temporary defeat of the proletariat in the central part of Europe—in Germany—as well as in Austria and Spain, that is, in countries *where the majority of the organized workers supported Social-Democratic Parties.* A powerful urge for *unity of action* is growing in the ranks of the international working class. The revolutionary movement in the *colonial countries* and the Soviet revolution in *China* are extending. The relationship of class forces on a world scale is changing more and more in the direction of *a growth of the forces of revolution.*

* * * * * * * * * *

With this as its point of departure, the Seventh Congress of the Communist International enjoins the Communist Parties to be guided by the following instructions when carrying out the united front tactics:

1. *The defense of the immediate economic and political interests of the working class, the defense of the latter against fascism,* must be the starting point and form the main content of the workers' united front in all capitalist countries. In order to set the broad masses in motion, such

slogans and forms of struggle must be put forward as arise from the vital needs of the masses and from the level of their fighting capacity at the given stage of development. Communists must not limit themselves to merely issuing appeals to struggle for proletarian dictatorship, but must show the masses *what they are to do today* to defend themselves against capitalist plunder and fascist barbarity. They must strive, through the joint action of the labor organizations, to mobilize the masses around *a program of demands that are calculated really to shift the burden of the consequences of the crisis onto the shoulders of the ruling classes, demands, the fight to realize which, disorganizes fascism, hampers the preparations for imperialist war, weakens the bourgeoisie and strengthens the positions of the proletariat.*

* * * * * * * * * *

Holding that the interests of the class struggle of the proletariat and the success of the proletarian revolution make it imperative that *a single mass political party of the working class* exist in every country, the Congress sets the Communist Parties the task of taking the initiative in bringing about this unity, relying on the growing desire of the workers to unite the Social-Democratic Parties or individual organizations with the Communist Parties. At the same time it must be explained to the workers without fail that such unity is possible only under certain conditions: under the condition of *complete independence from the bourgeoisie and the complete severance of the bloc between Social-Democracy and the bourgeoisie,* under the condition that *unity of action* be first brought about, that the necessity of the *revolutionary overthrow of the rule of the bourgeoisie and the establishment of the dictatorship of the proletariat in the form of Soviets* be recognized, that support of one's own bourgeoisie in *imperialist war* be rejected, and that the party be constructed on the basis of *democratic centralism* which ensures unity of will and action and has been tested by the experience of the Russian Bolsheviks.

* * * * * * * * * *

THE TASKS OF THE COMMUNIST INTERNATIONAL IN CONNECTION WITH THE PREPARATIONS OF THE IMPERIALISTS FOR A NEW WORLD WAR

(*Resolution on the Report of M. Ercoli, Adopted August 20, 1935 by the Seventh Congress of the Communist International*)

* * * * * * * * * *

At the present historical juncture, when on one-sixth part of the globe the Soviet Union defends socialism and peace for all humanity, the most vital interests of the workers and toilers of all countries demand that in pursuing the policy of the working class, in waging the struggle for peace, the struggle against imperialist war before and after the outbreak of hostilities, the defense of the Soviet Union must be considered paramount.

If the commencement of a counter-revolutionary war forces the Soviet Union to set the Workers' and Peasants' Red Army in motion for the defense of socialism, the Communists will call upon all toilers *to work, with all means at their disposal and at any price, for the victory of the Red Army over the armies of the imperialists.*

PETITION FOR REHEARING IN BANC

IN THE

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11,850

COMMUNIST PARTY OF THE UNITED STATES OF AMERICA, *Petitioner*,

v.

SUBVERSIVE ACTIVITIES CONTROL BOARD, *Respondent*.

591

On Review of Order of Subversive Activities Control Board

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No. 11,850

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SUBVERSIVE ACTIVITIES CONTROL BOARD,
Respondent.

On Review of Order of Subversive Activities Control Board

PETITION FOR REHEARING IN BANC

The petitioner herein petitions for a rehearing by the Court in banc of the Court's decision of December 23, 1954, affirming an order of the Subversive Activities Control Board. If the Court decides that the case should not be reheard in banc, then in the alternative the petitioner herein petitions that a rehearing be ordered by the panel of the Court which decided the case.

We believe that the majority of the Court has incorrectly decided this case, and that its decision does great damage to the fabric of our society. In this petition for rehearing, however, we shall not review or reargue matters discussed in the Court's decision, since their importance is apparent from inspection of the opinion and since we have heretofore fully briefed them. We limit our discussion to considerations which were not dealt with by the Court. These matters were advanced in our briefs, but, with one exception, they are wholly ignored in the Court's decision even though they are of major importance to the disposition of the case, and though the Court at the opening of its opinion (p. 3) states that it will deal with all of petitioner's contentions.

This case is unquestionably one of the highest public importance. It involves questions of immense constitutional significance and important issues of statutory construction. We submit that the case should be decided by the full court, and not by a three-judge bench, one member of which has dissented.

I. The Court Should Determine Whether the Act and the Board's Order Violate the First Amendment Because They Impose Sanctions On the Basis of Evidence of Protected Expression

In our original brief (126-129) we urged that the Act on its face violates the First Amendment because it authorizes the imposition of sanctions on organizations and their members upon the basis of evidence that the organizations engage in lawful and peaceable advocacy. The standards of section 13 (e) guide the Board in determining whether to issue a registration order, which brings into play crippling sanctions. We showed that these standards focus on views and policies and their expression. The views and policies need not be false or seditious. Nor does section 13 (e) require proof that the organization advocates criminal, violent or unconstitutional means for the effectuation of its objectives. The section is fully satisfied by a showing that the views and policies of the organization are similar to those of the Soviet Union, notwithstanding that they may be objectively true and in the best interests of the American people. (Pet. Br., 79-89). We pointed out that under the outermost limits of the Congressional power to interfere with speech and expression, staked out in *Dennis* v. *United States,* 341 U. S. 494, Congress cannot control even the advocacy of violence in the absence of a clear and present danger situation. Much less, therefore, can it impose penalties for the advocacy of peaceable action, as to which no clear and present danger can arise. (Pet. Br., 126-129.)

We further showed that in applying the Act the Board based its registration order primarily, and indeed almost exclusively, upon the petitioner's peaceable advocacy of views and policies which, however unpopular in present-day America, are clearly within the protection of the First Amendment. (Pet. Br., 169-173; Pet. Rep. Br., 47-49.)

We argued, therefore, that the Act, both on its face and as applied, violates the First Amendment by penalizing an organization and its members with sanctions amounting to proscription for engaging in lawful and peaceable expression and advocacy. We urged, further, that if this breach of the First Amendment is permitted in the case of Communists, there can be no barrier to the imposition of the same form of virulent political censorship upon the entire American people. (Pet. Br., 128-129.)

The Court does not discuss this aspect of our attack upon the Act and the Board's order. However, its analysis of the provisions of the Act and the grounds upon which it justifies the order of the Board confirm our contention.

The Court acknowledges that the Act abridges First Amendment freedoms. (Opinion, 11). It does not deny that the effect of a final registration order will be to outlaw petitioner. (Opinion, 38-39). It states, however (p. 39), that "if an organization is actually operating primarily to achieve the objectives of a foreign organization dedicated to the establishment of a totalitarian dictatorship in this country *by other than constitutional processes,* we perceive no constitutional obstacle to its outlawry." (Emphasis supplied.) This statement is unsound.[1] But if it were accepted as correct, it is irrelevant, for it appears from the Court's own analysis of the Act that section 13 (e) is not based upon the premises assumed by the Court. As the Court's analysis concedes (Opinion, 44-46), none of these standards requires a showing that petitioner engages in criminal activities or advocates unconstitutional or violent means for the achievement of its objectives. For example, the Court agrees with us that the "directives and policies" test of section 13 (e) (1) does not require a showing that petitioner's immediate or ultimate objectives are evil or morally wrong, much less that they are criminal or violent. (Opinion, 44.) Again, it agrees that the "non-deviation" test may be satisfied by evidence of the advocacy of policies calculated to secure the peace and welfare of the American people. (Opinion, 45.)

The Court, however, seeks to justify the standards of section 13 (e) on the ground that the "crucial factor in the statute" (Opinion, 44) is the aim to disestablish our system of government and substitute a dictatorship of the proletariat in its place. It states (*ibid.*): "Our government may well oppose the establishment in this country of a totalitarian dictatorship of the sort described in the definition, even if such a dictatorship does not meet the definition of 'evil' or even if it has many beneficient features".

---

[1] The facts assumed by the Court would warrant a proscription of the use, or advocacy of, violent or other unconstitutional means for achieving the stated objective. But they would not warrant the outlawry of the organization and thereby the proscription of its peaceable advocacy and other above-board political activity. *American Communications Association* v. *Douds,* 339 U. S. 382; *Dennis* v. *United States,* 341 U. S. 494; see Pet. Br., 115-124. At one point in its opinion, the Court appears to recognize this limitation. For it states, (p. 38), "The critical questions concerning an 'outlawry' statute are whether the matter prohibited is eligble for prohibition. . . ." But it never attempts to explain on what conceivable basis petitioner's advocacy of concededly legitimate immediate objectives in the field of domestic affairs and foreign policy are "eligible for" the prohibitions which a registration order imposes on all advocacy of a proscribed organization.

This statement begs the question. Perhaps the government in power may "oppose" the establishment of another form of government in this country. Thus, the Republican administration may "oppose" the Democrats by charging that the New Deal and Fair Deal were attempting to introduce "socialism" into the United States. But the Court would scarcely be prepared to hold that the Democratic Party could be outlawed if this charge were proved. Yet the logic of the opinion would justify this result.

The issue tendered in this case is not whether the government may "oppose" social change, but whether it may impose controls on the advocacy of change. Certainly, so long as the advocates of change confine themselves to peaceful persuasion and the use of democratic processes, the government is limited to countering their advocacy with its own. It may not suppress the advocacy which it "opposes." If the First Amendment means anything, it prohibits the national government from abridging, let alone suppressing, the advocacy of political change by non-violent and constitutional means. As Chief Justice Hughes wrote in *Stromberg* v. *California,* 283 U. S. 359, 369:

> "The maintenance of the opportunity for free political discussion to the end that government may be responsive to the will of the people and that changes may be made by lawful means, an opportunity essential to the security of the republic, is a fundamental principle of our constitutional system."

Applying this fundamental constitutional principle to the specific question at issue here, advocacy of a dictatorship of the proletariat, Mr. Justice Holmes said, dissenting in *Gitlow* v. *New York,* 268 U. S. 652, 673:

> "If in the long run the beliefs established in proletarian dictatorship are destined to be accepted by the dominant forces of the community, the only meaning of free speech is that they should be given their chance and have their way."

See also *Schneiderman* v. *United States,* 320 U. S. 118, 142-144.

The Court itself states (Opinion, 39), "Unpopular causes are entitled to the privilege of the arena, but they must sustain the severe burdens of the arena." The privilege of the arena is all that petitioner demands. The unconstitutionality of the Act lies precisely in the fact that it denies petitioner that privilege solely on the ground that its cause is presently unpopular and that many of its views are similar to those held by the Soviet Union and Communists of other lands.

The rationale of the opinion is not advanced by the statement (Opinion, 14) that, "Clearly the aim of the statute before us is at action and conduct rather than at mere speech and assembly. A purpose to establish a proletarian dictatorship, posited in paragraph (1) of Section 2 of the Act, is itself a program of action rather than mere discussion." The purpose of all political expression and association is to persuade people to act. *Terminiello* v. *Chicago,* 337 U. S. 1, 4. It is of the essence of the First Amendment, therefore, that advocacy of action is protected so long, at least, as the action advocated is peaceable. The Court further states (*ibid.*), that "the terms used in paragraph (1) of Section 2 to describe the means adopted by the world Communist movement—infiltration into other groups, espionage, sabotage, terrorism—are terms of action." It is true that the advocacy of violent and criminal action of the character described, when engaged in under clear and present danger circumstances, can be proscribed. But that fact cannot rescue the Act, since, as the Court concedes (Opinion, 41-42), section 13 (e) does not require a showing of such advocacy as a condition to a registration order.

The Court states, however (*ibid.*), that proof that petitioner employs or advocates violent means for the achievement of a dictatorship of the proletariat is unnecessary because the issue with which section 13 (e) concerns itself "is simply whether a named organization operates to achieve the objectives of the world Communist movement, whatever the nature of that movement may be.'' It is true that under the scheme of the Act the registration death sentence is ostensibly imposed upon the grounds that the accused organization is a foreign agent. But 13 (e) makes the peaceable advocacy of legitimate views proof of foreign agency. It is, therefore, the advocacy itself which occasions the death sentence. ''The Constitution deals with substance, not shadows. Its inhibition was levelled at the thing, not the name . . . If the inhibition can be evaded by the form of the enactment, its insertion in the law was a vain and futile proceeding.'' *Cummings* v. *Missouri,* 71 U. S. 277, 325.

The plain fact is, as the opinion of the Court establishes, that the Act countenances the outlawry of petitioner merely upon a showing that petitioner works for immediate changes in foreign and domestic policy which are opposed to politically orthodox views, and advocates a radical change in our form of government as an ultimate goal. As the Court concedes, the Act does not require proof that petitioner advocates violent or unconstitutional means for the achievement of these objectives. It follows, therefore, from the Court's own analysis, that the Act is unconstitutional on its face because it authorizes the outlawry of petitioner and the punishment of its members for exercising rights guaranteed by the First Amendment.

The grounds on which the Court sustains the order of the Board make even plainer the vice apparent on the fact of the Act.

The Court approves the order of the Board primarily on the basis of six factors. It characterizes these as ''underlying basic facts'' that ''are heavy in the scales'' and ''determine the final answer.'' (Opinion, 61). These factors consist exclusively of views and policies of petitioner. They are as follows:

1. The fact that petitioner did not present evidence ''of a repudiation of world Communist doctrines'' subsequent to its disaffiliation from the Communist International in 1940. (Opinion, 70.)

2. The fact that petitioner calls itself the Communist Party of the United States. (*ibid.*)

3. The fact that the reconstitution of the Communist Party in 1945 resulted from what was considered to be a prior departure from the principles of Marxism-Leninism (Opinion, 65-66.)

4. The fact that petitioner adheres to the "basic ultimate objective" of Marxism-Leninism—"a classless, stateless world." (Opinion, 66.)

5. The fact that "the Party's press follows closely world Communist views." (Opinion, 70.)

6. The fact that petitioner's views on a series of international questions, such as the admission of the People's Republic of China into the United Nations, the North Atlantic Pact, and the Korean War, were similar to the views of the Soviet Union. (Opinion, 68-69.)

The Court does not find that any of these views and policies involves the advocacy of violent or criminal means for the attainment of petitioner's immediate or ultimate objectives. The Court notes (Opinion, 67) the testimony of Mr. Gates, a member of petitioner's national committee, that petitioner advocates the peaceful and constitutional road to socialism, believes that it is possible for a coalition party of all exploited classes to win a national election, and foresees that such an elected government will have to use its state power to anticipate and frustrate an attempt by the monopolists to overthrow it by violence. Indeed, the Court states that it is "the established position of Communist leaders that American democracy has gone far in protecting the rights of minorities and of working people and in advancing the economic status of such people, and that in that respect American democracy receives the plaudits of those leaders." (*Ibid.*) The Court, however, considers this position of no help to petitioner, on the ground that it "in no way negates the ultimate stateless world objective of the world Communist movement." (*Ibid.*)

Under the Act and the Court's decision, the petitioner is being outlawed on the ground that its ultimate objective is to achieve a classless society and that its views on foreign policy resemble those of the Soviet Union, although it does not advocate violent means to attain its objective or promote its views. We submit that a rehearing should be ordered so that the Court may consider whether the First Amendment prohibits outlawry on such a basis.

Whether registration can validly be required on proof of constitutionally protected advocacy, presents a major constitutional question. Moreover, this question, which arises both on the face of the Act and in its application, will recur before various panels of the Court in all future cases involving review of orders of the Board against alleged "Communist-front" and "Communist-infiltrated" organizations. It should, therefore, be passed on by the full Court.

II. The Court's Action in Striking Key Findings of the Board Required It to Vacate the Order of the Board and to Remand the Case for Further Proceedings

A rehearing should be had because the Court's decision violates fundamental principles of law governing judicial review of administrative orders. On the decision's own premises, the Court should have vacated the Board's order and remanded the case for further proceedings.

Under the Act, the function of determining whether an organization is a Communist-action organization is committed to the Subversive Activities Control Board, not to the Court. The Court has no authority to decide this issue, but only to review the action of the Board.

The orthodox statement of the role of a court reviewing an administrative adjudication is: "The function of the court is to decide whether the correct rule of law was applied to the facts found; and whether there was substantial evidence before the Board to support the findings made." *Helvering* v. *National Grocery Co.*, 304 U. S. 282.

This statement is in one respect modified by the Act, section 14 (a) of which provides: "The findings of the Board as to the facts, if supported by the preponderance of the evidence, shall be conclusive.''

But the substitution of the ''preponderance'' test for the ''substantial evidence'' test establishes only a quantitative, not a qualitative, difference. It gives the Court more latitude to decide that the findings are inadequately supported. Nevertheless, it still remains for the Board, not the Court, to determine if an organization is a Communist-action organization. The Court may not make findings of its own in lieu of Board findings. Otherwise, there would be no point in the requirement of section 13 (g) (1) that the Board ''shall make a report in writing in which it shall state its findings as to the facts.''

The Board's determination that the petitioner is a Communist-action organization rests on findings made by it on each of the eight evidentiary standards prescribed by section 13 (e) of the Act. On the basis *of these eight findings,* the Board arrived at its ultimate conclusion that petitioner is a Communist-action organization. Since the ultimate conclusion was based on the totality of the eight findings, it cannot be said that the same conclusion would have been reached if any of these findings had been omitted or had been to a contrary effect.

The Court holds in its decision that two of the Board's eight findings, those as to ''reporting'' and ''secret practices,'' are not supported by the preponderance of the evidence. Accordingly, the Court strikes both findings. (Opinion, 72-74). As a result, these two findings are non-existent for legal purposes. The Board's order, therefore, is not supported by the premises on which it acted, since it relied on the sum of eight findings, not on six. There is no way of knowing whether the Board would have come to the same result without the findings on ''reporting'' and ''secret practices.''[2] This is particularly true in the light of the circumstance that of the six surviving findings, two had little, if any, weight against the petitioner. For the Board's findings on ''financial aid'' and ''training'' are that these practices occurred only in the remote past, well before the enactment of the Act, and not in the present. Yet the standards of section 13 (e) of the Act expressly deal only with the present practices. As to ''financial aid,'' the Board found (J. A. 88):

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[2] It is true that we assert that the Board was a biased tribunal which would have inevitably found against the petitioner no matter what the state of the record. But if the Court accepts this contention, then it is required to reverse on the grounds that petitioner did not have a fair hearing.

> ''After the passage of the Voorhis Act in 1940, with the consequent nominal disaffiliation of [petitioner] from the Communist International, evidence of such financial aid does not appear in the record with one exception, this being the above instance of financial aid to [petitioner] in or about 1949.''[3]

And the Board itself has stated that it is ''evident . . . that the Board could not have based great reliance'' on the ''financial aid'' test. (Resp. Br., 101). As to ''training,'' the Board found (J. A. 92):

> ''There is no substantial evidence of record showing training of Respondent's members in the Soviet Union subsequent to the outbreak of World War II.''[4]

In contrast, the Board's Report shows heavy reliance on ''secret practices,'' to which it devotes many pages. (J. A. 105-117).

Accordingly, as appears from the foregoing, there were only four of the eight standards on which adverse findings were or could have legitimately been made. Moreover, the findings on these remaining standards (''policies and directives,'' ''non-deviation,'' ''discipline,'' and ''allegiance'') are based, as the Board's Report amply shows, primarily on views and attitudes.

The effect of the Court's action in striking two of the key findings was, therefore, to vitiate the Board's ultimate conclusion. For the conclusion *of the Board* no longer follows from the findings. The Court, therefore, had no right to affirm the Board's order on the ground that in the Court's view the ultimate finding could or should have been made on the basis of findings on six of the standards or on the record as a whole. For such a process amounts to a determination of the issue by the Court, and not by the Board. The Court has proceeded as though it were the administrative agency and the Board its trial examiner. The proper course was to vacate the order and remand the case so that the Board could reconsider its decision and modify its report in the light of the Court's action in striking key findings.

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[3] As to the utter lack of basis for the Board's finding that there was an incident of financial aid in 1949, see Pet. Br., 208-9.

[4] In fact, the Board's Report shows on its face that none of the episodes claimed to constitute ''training'' occurred later than 1936. (J. A. 90.)

Our contention is supported by controlling authorities, as well as by principle.[5] The situation here is like that in *National Labor Relations Board* v. *Virginia Electric & Power Co.,* 314 U. S. 469. There the Supreme Court remanded an order of an administrative agency because the agency's ultimate conclusion rested in findings which the Court felt had insufficient evidentiary support. The Court recognized that the agency could have validly reached the same ultimate conclusion by making other findings supportable by the record before it. But the Court nevertheless remanded the case so that the agency could decide whether to reach the same conclusion on the record already made, but after discarding the invalid findings.

The Court's action in *Virginia Power* is but an application of the familiar doctrine of *S. E. C.* v. *Chenery Corp.,* 318 U. S. 80. There the Court remanded an administrative order solely because it could not be sustained on the bases on which the agency acted, while recognizing that it might well have been sustainable if the agency had applied other premises. The Court stated in *Chenery:*

> "The grounds upon which an administrative order must be judged are those upon which the record discloses that its action was based." (At 87.)

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[5] We argued this point in our briefs (Pet. Br., 226; Pet. Reply Br., 33), but the Court's decision ignores our argument.

> "The Commmission's action cannot be upheld merely because findings might have been made and considerations disclosed which would justify its order as an appropriate safeguard for the interests protected by the Act." (At 94.)

> "We merely hold that an administrative order cannot be upheld unless the grounds upon which the agency acted in exercising its powers were those upon which its action can be sustained." (At 95.)

And in *I. C. C.* v. *C. B. & Q. R. R.*, 186 U. S. 320, 341, the Court stated:

> "Being then constrained to the conclusion that the order of the Commission was not sustained by the facts upon which it was predicated, we cannot enter into an independent investigation of the facts, even if it be conceded that the record is in a condition to enable us to do so, in order that new and substantive findings of fact may be evolved upon which the order of the Commission may be sustained."

This Court applied *Chenery* in *Democrat Printing Co.* v. *F. C. C.*, 91 App. D. C. 72, 202 F. 2d 298, recognizing (202 F. 2d at 303): "Our review is limited to the reasons which the Commission relied upon for its action."

It is particularly startling to find that the present departure from *Virginia Power* and *Chenery* occurs in a case in which the majority opinion was written by Judge Prettyman. For in *Mississippi River Fuel Corp.* v. *F. P. C.*, 82 App. D. C. 208, 163 F. 2d 433, Judge Prettyman stated for the Court (163 F. 2d at 449, emphasis supplied):

> "In conclusion upon the matter of allocation of costs, we repeat that the statute imposes upon us certain functions of review of Commission orders. The Supreme Court has prescribed guides for our action in that review. It has repeatedly emphasized, as it said in Colorado-Wyoming Gas Co. v. Federal Power Comm., that the court must know what the findings are before it can give them the conclusive weight provided by the statute. It has emphasized the necessity for adequate

> findings of the facts upon which the order rests. *It has also held that the grounds upon which an administrative order must be judged are those upon which the record discloses that the action was based,* and that where the decision of a Commission is explicitly based upon the applicability of certain principles, its validity must likewise be judged on that basis. [Citing *Chenery.*] The Court has held that it is our function to review the record for the substantial evidence said to support the findings.
>
> "That the Commission might have adopted some other method or formula for determining the costs of the regulated business is beside the point. In so far as it purported to adopt the demand-commodity formula, our review must be upon that basis. The Commission cannot announce the applicability of a formula and then distort its application by failure to find accurately the factors required by the formula, or by departing from the essential progress of the formula from premise to conclusion. When the Commission announces principles or formulas as applicable, the validity of its order can be determined only by measuring what it does against the principles it announces."

Cf. also *Kutcher* v. *Gray,* 91 App. D. C. 266, 199 F. 2d 783; *Colorado-Wyoming Gas Co.* v. *F. P. C.,* 324 U. S. 626, 634; *F. P. C.,* v. *Idaho Power Co.,* 344 U. S. 17, 20; *Helvering* v. *National Grocery Co.,* 304 U. S. 282, 294; *Atchison Ry.* v. *U. S.,* 295 U.S. 193, 201-202.

Future orders of the Subversive Activities Control Board involving other organizations and labor unions will come before this Court, and will undoubtedly be heard by panels of varying composition. Is the review of these orders to be on the novel basis that the Court will determine whether in its judgment the ultimate conclusion is sound even though findings and premises on which the conclusion is based are unsound? We submit that the full Court should decide whether such is to be the nature of the judicial review.

III. The Court Should Determine Whether the Petitioner Was Denied a Fair Administrative Hearing

A rehearing should be granted so that the Court may consider contentions made by petitioner and ignored in the decision that petitioner was denied a fair administrative hearing.

One of these contentions was that two members of the Board who conducted the hearing and participated in the final decision, issued by four members, manifested personal bias and prejudice against the petitioner, and that they were required to be disqualified by affidavits of bias and prejudice filed by petitioner. (See Pet Br., 181-183; J. A. 187-190, 196-199.)

The affidavit of bias and prejudice filed against Board member McHale rested on a speech made by her during the course of the hearing. This speech showed bias against the petitioner, expressed a prejudgment of issues of fact on which evidence was being taken, and revealed that Dr. McHale considered the hearing a mere formal prerequisite to the issuance of the inevitable registration order. (Pet. Br., 181; J. A. 187-190, 193-196).

The affidavit of bias and prejudice filed against Board Chairman Brown rested on his appearance on a radio and television forum while the case was still before the Board. In the forum program, Mr. Brown discussed the pending case and manifested hostility toward the petitioner and a conviction of petitioner's guilt. (Pet. Br., 181-182; J. A. 197-198, 206-208).

A second contention of unfairness made by petitioner was based on the fact that the members of the panel which conducted the hearing were subjected to and influenced by surveillance and policing of their conduct of the proceeding by Senator McCarran, chairman of the Senate Judiciary Committee, which on the one hand had power to block confirmation of their appointments, and, on the other, had issued a report declaring that "there is uncontrovertible evidence" that petitioner is a Communist-action organization. Witnesses for the Attorney General reported on the Board members' conduct to an agent of the Senate Judiciary Committee. (Pet. Br., 175-181). The then chairman of the panel, Board member LaFollette, who was later denied confirmation, announced (J. A. 297; Pet. Br., 179):

> "... I feel pretty much the same way about this witness discussing my conduct in the hearing room with Mr. Mandel, under the circumstances, as I would if I were a nisi prius judge in an elective office, and a political boss had the right to control my nomination or renomination."

A third contention made by petitioner was that the Act was designed to, and did, establish a Board which was necessarily biased against the petitioner and which had an interest, including a pecuniary one, in deciding against petitioner. (Pet. Br., 97-102.) We showed that if the Board found that petitioner was not a Communist-action organization, the Act could not, by its structure, be applied to any other organizations. A finding for petitioner would have effectively repealed the Act and rendered the Board functus officio. This fact was recognized by the Attorney General and acknowledged by the first two chairmen of the Board. Accordingly, the Board members were under an irresistible pressure to preserve the Act and the Board by finding against the petitioner, and they had a personal stake in so deciding, since only so could they preserve their salaried jobs and patronage power. We argued that these circumstances deprived petitioner of a fair hearing and thus of due process of law. *Tumey* v. *Ohio,* 273 U. S. 510.

Fairness of hearing before an unbiased tribunal is essential to the administration of justice and to the repute of the quasi-judicial and judicial systems. It is particularly necessary for the Court to be alert to possible unfairness in cases involving political advocacy of persons or organizations who are the target of public attack. Our contentions regarding the unfairness of the administrative proceeding, the bias and unseemly conduct of the Board members, and the extra-legal pressures executed on them, are clearly substantial. We submit that the Court was under a duty to pass on these issues.

The Court's failure to consider or discuss these questions is particularly deplorable because of the cavalier treatment given to our argument that the Act by its logic, structure, and purpose contains a predetermined verdict which was merely to be rubber-stamped by the Board. Our contentions were supported by an analysis of the Act and the legislative history which confirms that the Act embodies the purpose of Congress to outlaw the Communist Party by having it held to be a Communist-action organization without proof of guilt. (See Pet. Br. 63-76.) The Court, however, ignores our analysis. It asserts that the Act's procedures are not inadequate because hearing and judicial review are provided (Opinion, 7), and that there is no built-in verdict because the Act itself does not mention petitioner by name (Opinion, 39). These observations do not respond to our contentions that the hearing was a sham and the case prejudged because the Act predetermines the findings prerequisite to the verdict against petitioner. As we showed, the Board's only function is to identify by name the victim whom Congress desired to destroy, and even this function had already been accomplished by the legislation reports and debates.

IV. The Court Should Decide the Validity of Section 5 of the Communist Control Act as An "Attachment" of the Registration Requirement

Upon the reargument of this case pursuant to the order of the Court, we pointed out that section 5 of the Communist Control Act of 1954 establishes rules of evidence for determining whether an individual is a member of petitioner. The Internal Security Act makes it necessary for petitioner and its officers to determine the names of petitioner's members, since they must list these names in petitioner's registration statement. We showed that in making this determination, petitioner and its officers must apply the criteria of section 5 of the Communist Control Act if they are to avoid the criminal penalties of section 15 of the Act for failing to list the names of all the "members." (Pet. Supp. Br., 7-9.)

We urged that section 5 prescribes such vague and indefinite criteria of membership that it is impossible for petitioner and its officers to determine who the "members" are, and thus to comply with the obligation to list their names. (Pet. Supp. Br., 9-14.) Consequently, the registration requirements of the Act taken in conjunction with section 5 violate due process because they prescribe criminal penalties without ascertainable standards of guilt. (Pet. Supp. Br., 7-15.)

The opinion of the Court does not mention section 5. It says of the Comunist Control Act as a whole that, except as to one minor matter, it has no application to this case. (Opinion, 48.) This statement is manifestly incorrect in the case of section 5. In the absence of that section, the obligation of petitioner and its officers to register the names of its members would be measured by conventional standards of proof of membership in an unincorporated association. Section 5 of the Communist Control Act, however, supplies an entirely different set of criteria for determining who petitioner's members are and whom petitioner and its officers must, therefore, register as members. In the language of the Court's opinion (p. 5), the criteria of section 5 are "attachments" of registration. Clearly, registration cannot be stripped of these attachments any more than it can be stripped of those passed upon by the Court.

We shall not repeat here the arguments advanced in our Supplemental Brief (pp. 7-20) which establish the invalidity of section 5 and the consequent invalidity of the registration requirement of which it is a part. We submit, however, that accepting the Court's statement of the scope of the issues before it (Opinion, 4-7), the validity of section 5 as an integral part of the registration provisions must be adjudicated in this proceeding.

There is an additional reason which requires the Court to pass upon the validity of section 5. Section 5 describes the class of persons who as "members" of petitioner will be subject to the sanctions which the Act imposes on members of organizations ordered to register. The validity of these sanctions cannot be determined, we submit, except in the light of the section 5 criteria which determine the persons to whom they are to be applied.

We urged in our briefs (Pet. Br., 102-107; Pet. Reply Br. on Rearg., 16-19) that the Act is invalid because it deprives petitioner's members of jobs and passport privileges merely because of their membership in an organization ordered to register as a "Communist-action" organization. We showed that this deprivation violates due process, since the Act does not require a showing that the member has knowledge of the evil purposes which the registration order ascribes to petitioner. *Wieman* v. *Updegraff,* 344 U. S. 183. We also showed that the Act involves a further due process violation since it does not accord the member an opportunity to show that he is a fit person to enjoy the privileges which the Act denies him. *Adler* v. *Board of Education,* 342 U. S. 485.

The Court rejects our argument, holding that due process is satisfied by the requirement of the Act that a member have notice of a final registration order against the organization before he becomes subject to the sanctions. (Opinion, 28.) In reaching that conclusion, the Court ignores the principle of the *Adler* case. It also misreads *Wieman.* For *Wieman* clearly decided that notice or knowledge that an organization has been officially condemned is not sufficient to comply with due process, which can be satisfied only by a showing that the individual member had personal knowledge of the evil character of the organization.

But even were the decision of the Court compatible with *Wieman* and *Adler,* its conclusion is based on a further error arising from its disregard of section 5 of the Communist Control Act. Basic to the Court's holding that the Act's sanctions against petitioner's members are valid is its statement (Opinion, 26) that, "Membership in an organization is of course a fact, and if one is actually a member he knows it." This statement is manifestly incorrect in the face of the criteria of section 5. For, as we have shown (Pet. Supp. Br., 9-15), because of the elastic and all-embracing criteria of that section, almost no one can tell whether or not he is a member until a court or jury decides that question in a prosecution against him for violating the Act's prohibitions on members. Accordingly, on the basis of the Court's own reasoning, the validity of the Act's sanctions against petitioner's members cannot be adjudicated without adjudicating the validity of section 5.

V. The Court Should Decide the Validity of the "Printing Press Amendment" to the Act

Upon the reargument of this case, we called to the Court's attention the July 29, 1954 amendment to section 7(d) of the Act (P. L. 557, 83d Cong., 2d Sess.), requiring Communist action or front organizations to include in their registration statements a listing of all printing presses, mimeograph machines, etc., in their possession, or in the possession of their members or of groups in which they "have an interest." We urged that this provision was a patent violation of the First Amendment (Pet. Supp. Br., 26-27.)

The opinion of the Court makes no reference to the "printing-press" amendment. It is clear however that the amendment contains one of the provisions of the Act which, in the language of the Court, "depend upon or flow from registration of the organization." (Opinion, 6.) Hence, by the Court's own definition of the scope of its review of the provisions of the Act (Opinion, 6-7), it is obliged to determine whether the amendment is a valid provision integrated with the registration requirement or an invalid provision which must be excised. A rehearing should be ordered for this purpose.

VI. The Court Should Determine Whether the Original Appointments of the Board Members Were Invalid

The Court does not decide whether the "recess" appointments of the Board members were, as we argued (Pet. Br., 227-233), invalid under the Constitution. It does so on the grounds that (1) the effect of any invalidity of the appointments was minimal; and (2) the persons claiming to be Board members by recess appointment can be regarded as having been hearing examiners. (Opinion, 47-48). These grounds were not advanced by the respondent, for the good reason, we think, that they are unsound.

It was incorrect for the Court to assess the effect of the invalidity of the appointments merely by the relative amount of testimony taken before and after confirmation of the appointments. For key motions made at the beginning of the proceeding and requiring exercise of discretion were disposed of by the unconfirmed appointees even before any testimony was taken. The denials of these motions, including discovery motions and a motion to strike portions of the Attorney General's petition, haunted the proceeding throughout, as did precedent-setting rulings on the admission of evidence made at inception of the hearing.

Nor could the unconfirmed appointees have been trial examiners. Under section 16 of the Act, the Administrative Procedure Act is applicable to the conduct of proceedings by the Board. Section 11 of the Administrative Procedure Act, 5 U.S.C. sec. 1010, sets up provisions governing the appointment, tenure and compensation of trial examiners and their assignment to cases. These provisions were not complied with.

Soon after the Attorney General instituted the proceeding before the Board, the petitioner instituted an action to enjoin the conduct of the administrative proceeding. One of the grounds advanced by petitioner was that the persons claiming to be Board members were not lawfully appointed and were usurpers. The government urged that the injunction action was premature, and that petitioner's objections to the proceeding should not be judicially decided prior to exhaustion of the administrative remedy. The three-judge court denied injunctive relief on the ground of prematurity. *Communist Party* v. *McGrath,* 96 F. Supp. 47.

Petitioner, having been told by the judiciary that its original challenge of the appointments was too early, is now told by the judiciary that its renewed challenge is too late. We do not think that this is an appropriate way to treat a serious constitutional question. Nor should the courts adopt a policy which deprives litigants of any remedy against usurpations of office.

We submit, therefore, that a rehearing should be had to determine whether the original appointments to the Board were constitutionally invalid.

Conclusion

A rehearing should be ordered, preferably before the Court in banc.

Respectfully submitted,

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Certificate of Counsel

I certify that the within and foregoing petition for rehearing is presented in good faith and not for delay.

Joseph Forer